

SECTION 4.4

THE SEARCH FOR WMD

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Introduction and key findings

1. This Section addresses:

- the post-invasion search for evidence of weapons of mass destruction (WMD) in Iraq;
- the Government's response to the failure to find stockpiles of WMD in Iraq;
- demands for an independent judge-led inquiry into pre-conflict intelligence on Iraq's WMD and the decision to establish the Butler Review; and
- the Government's involvement with the preparation and publication of the series of reports produced by the Iraq Survey Group.

2. This Section summarises, but does not include, detailed comment on findings relating to pre-conflict intelligence on Iraqi WMD and the post-conflict search for WMD published between 2003 and 2005 by:

- the House of Commons Foreign Affairs Committee;
- the Intelligence and Security Committee of Parliament;
- the Hutton Inquiry;
- the Butler Review;
- the Iraq Survey Group;
- the US Senate Committee on Intelligence; and
- the US Commission on Intelligence Capabilities.

3. The pre-invasion intelligence on Iraqi WMD and the withdrawal three lines of reporting by the Secret Intelligence Service in 2003 and 2004 are addressed in Sections 4.1, 4.2 and 4.3.

Key findings

- The search for evidence of WMD in Iraq was started during the military campaign by Exploitation Task Force-75 and was carried forward from June 2003 by the Iraq Survey Group (ISG). The UK participated in both. By June 2004, the ISG had a staff of 1,787, of whom 54 came from the UK.
- As the insurgency developed, the ISG's operating conditions became increasingly difficult. There was competition for resources between counter-terrorism operations and the search for WMD evidence, and some ISG staff were diverted to the former.
- Mr Blair took a close interest in the work of the ISG and the presentation of its reports and the wider narrative about WMD. He raised the subject with President Bush.
- The Government was confident that pre-conflict assessments of Iraq's WMD capabilities would be confirmed once Saddam Hussein's regime had been removed.
- It quickly became apparent that it was unlikely that significant stockpiles would be found. This led to challenges to the credibility of both the Government and the intelligence community.

- There were soon demands for an independent judge-led inquiry into the pre-conflict intelligence.
- The Government was quick to acknowledge the need for a review, rejecting an independent inquiry in favour of reviews initiated by the House of Commons Foreign Affairs Committee (FAC) and the Intelligence and Security Committee of Parliament (ISC).
- The Government's reluctance to establish an independent public inquiry became untenable in January 2004 when President Bush announced his own decision to set up an independent inquiry in the US.
- Faced with criticism of the pre-conflict intelligence and the absence of evidence of a current Iraqi WMD capability, Mr Blair sought to defend the decision to take military action by emphasising instead:
 - Saddam Hussein's strategic intent;
 - the regime's breaches of Security Council resolutions; and
 - the positive impact of military action in Iraq on global counter-proliferation efforts.
- The ISG's principal findings – that Iraq's WMD capability had mostly been destroyed in 1991 but that it had been Saddam Hussein's strategic intent to preserve the capability to reconstitute his weapons of mass destruction – were significant, but did not support statements made by the UK and US Governments before the invasion, which had focused on Iraq's current capabilities and an urgent and growing threat.
- The explanation for military action put forward by Mr Blair in October 2004 drew on the ISG's findings, but was not the explanation given before the conflict.

Planning and preparation for the post-conflict search for WMD

4. In February 2003, Mr Geoff Hoon, the Defence Secretary, approved UK participation in a US-led rehearsal for the post-conflict search for evidence of WMD in Iraq.

5. Before approving UK participation in the search itself, Mr Hoon requested advice on how to ensure the impartiality of the exercise, including through the possible early involvement of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA).

6. During and immediately after the invasion of Iraq, the search for WMD was the responsibility of Exploitation Task Force-75 (XTF-75), a US-led military unit, with small UK and Australian contingents.¹

7. XTF-75 was deployed to carry out Sensitive Site Exploitation (SSE), a military term for the exploitation of "personnel, documents, electronic files, and material captured at the site, while neutralizing the site or any of its contents".

¹ Vandal T et al. *The Strategic Implications of Sensitive Site Exploitation*. National Defense University, National War College, 2003.

- 8.** Officials had begun to consider the UK contribution to SSE in early February 2003.
- 9.** On 4 February, Mr Tim Dowse, Head of FCO Non-Proliferation Department (NPD),² chaired a meeting with officials from the Secret Intelligence Service (SIS) and the Ministry of Defence (MOD) to discuss post-conflict WMD issues and the possible role of UNMOVIC.³
- 10.** The MOD outlined US plans for intelligence exploitation and clean-up over a period of several years, and explained that the plans envisaged unilateral action by the US with no role for the UN or other UN Member States.
- 11.** Participants at the meeting agreed that it was very unlikely that US views could be shifted significantly, but that the US must be made aware of the potential value of internationalising the clean-up.
- 12.** On 10 February, Mr David Johnson, Head of MOD Iraq Secretariat, sent Mr Hoon briefing for a visit to Washington (see Section 6.2).⁴ The briefing included a paper on “dealing with WMD”.
- 13.** Mr Johnson stated that there had been a good deal of “military-to-military” planning between the UK and the US on WMD, and that the UK had identified the specialist contributions it could make at various stages during and after the conflict.
- 14.** The attached paper on WMD stated that SSE required specialist expertise that was “in very short supply”. To secure maximum value from scarce resources, the US planned to establish a Coalition Intelligence Exploitation Base (IEB) in southern Iraq reporting to Lieutenant General David McKiernan, Commander of the Coalition Forces Land Component Command (CFLCC). IEB capabilities would include:
- Site Survey Teams for initial analysis of sites secured by ground forces;
 - Mobile Exploitation Teams to collect evidence;
 - Disablement Teams to put facilities out of action;
 - laboratories to verify and catalogue evidence; and
 - elimination and disposal of WMD.
- 15.** The paper stated that SSE was important to the UK for two reasons:
- achieving the UK’s prime objective of eliminating Iraq’s WMD; and
 - securing the hard evidence needed retrospectively to demonstrate the case for military action, especially if it were to take place without UN authorisation.

² Non-Proliferation Department (NPD) was renamed Counter-Proliferation Department (CPD) in 2003.

³ Minute NPD [junior official] to Dowse, 5 February 2003, ‘Iraq: Aftermath: WMD Clean-up’.

⁴ Minute Johnson to PS/Secretary of State [MOD], 10 February 2003, ‘Secretary of State’s Visit to Washington: Iraq.’

16. The paper stated that it was in the UK's interest to contribute and that the US was "very keen" for it to do so. But the UK needed to be clear that its willingness to help was conditional on resolving two issues:

- 'Impartiality mechanisms' to ensure that Coalition activity has international credibility.
- The involvement of UNMOVIC and the IAEA once the situation is stable; as with the aftermath generally, the Pentagon's hang-ups about the UN are getting in the way of common sense and our long-term interests."

17. The paper stated that, if those conditions were met, during the conflict the UK should contribute:

- liaison officers in the IEB and the CFLCC SSE Fusion Cell;
- a Squadron HQ of the Joint NBC (Nuclear Biological Chemical) Regiment;
- a Battlefield Intelligence Recovery Team of Defence Intelligence Staff (DIS) and Explosive Ordnance Disposal (EOD) personnel;
- a DIS counter-terrorism expert;
- an RAF Provost⁵ and Security Services Forensic Science Team to interrogate computer hardware; and
- seven scientists with a mobile laboratory to provide a limited analytical capability.

18. Additional contributions could be made on an on-call basis through Air Marshal Brian Burridge, the UK National Contingent Commander (NCC).

19. In the post-conflict phase, the UK could contribute the Joint NBC Regiment HQ, detection assets and other Specialist Monitoring Teams.

20. Mr Hoon discussed the UK's objectives and its potential contribution to the search for WMD with Mr Donald Rumsfeld, the US Secretary of Defense, and Dr Condoleezza Rice, President Bush's National Security Advisor, in Washington on 12 February (see Section 6.5).⁶

21. The British Embassy Washington reported agreement that "broad UN cover for day after management in Iraq would bring political, financial and legal benefits" and would "facilitate an UNMOVIC and IAEA role in verifying WMD clear-up".

22. During the talks, Mr Jack Dyer Crouch II, Assistant Secretary of Defense (International Security Policy), told Mr Hoon that Iraqi scientists would be key to identifying the whereabouts of Iraq's WMD. Because the public in the US and elsewhere would expect early results, there would be "a heavy forensic input" at the start of the programme.

⁵ A member of the RAF Police (RAFP).

⁶ Telegram 204 Washington to FCO London, 13 February 2003, 'Iraq: Defence Secretary's Visit to Washington: Day After Management'.

23. Mr Crouch also agreed with Mr Hoon that UNMOVIC and the IAEA should help verify WMD discoveries in order to counter speculation that they had been planted.

24. On 17 February, the Permanent Joint Headquarters (PJHQ) informed Mr Hoon of the deployment the next day of 74 personnel to participate in SSE “mission rehearsal training” in Kuwait, and that up to 92 more personnel assigned to military operations in Iraq might be “co-opted” to participate in SSE operations as necessary.⁷

25. PJHQ stated that the priority was to ensure that any UK contribution:

- was coherent with wider policy objectives;
- did not put at risk the response to any chemical, biological, radiological and nuclear (CBRN) incident in the UK;
- was “efficient and effective”: no more than needed to achieve the UK’s aim and support the US; and
- took account of the significant Home Base and Force Protection demands on the UK’s EOD and CBRN resources.

26. Mr Hoon approved the deployment of 74 UK personnel.⁸ With planning “still at an early stage”, he asked for further advice on SSE operations after the rehearsal, including on:

- operational management of specialists in the SSE teams, including those from other agencies;
- “impartiality mechanisms”, including the early involvement of UNMOVIC and the IAEA; and
- evidence handling procedures.

PJHQ was also asked to reiterate to the US the UK’s concerns about impartiality.

27. Mr Hoon requested that further Ministerial approval be sought for the participation of additional personnel.

⁷ Minute Johnson to PS/Secretary of State [MOD], 17 January [sic] 2003, ‘Iraq: UK Contribution to Sensitive Site Exploitation’.

⁸ [Minute Williams to PJHQ-Dep Hd Pol/Ops\(ME\), 18 February 2003, ‘Iraq: UK Contribution to Sensitive Site Exploitation’.](#)

Operation ROCKINGHAM

The MOD Defence Intelligence Staff (DIS) set up Operation ROCKINGHAM to provide the focus for UK intelligence support to UN disarmament activities in Iraq established under resolution 687 (1991).⁹

An Op ROCKINGHAM cell in the DIS continued to exist after UN inspectors withdrew from Iraq in December 1998, but was reduced to a single member of staff who maintained a watching brief on matters related to possible future UN inspections in Iraq.¹⁰

The cell was subsequently expanded to provide UNMOVIC and the IAEA “with all-source UK intelligence assessments on the extent of Iraq’s nuclear, biological, chemical and ballistic missile programmes and information about sites of potential significance”.

In mid-March 2003, the Op ROCKINGHAM cell was expanded to encompass the results of SSE and “WMD/delivery-related information from the DIS in-theatre Battlefield Intelligence Recovery Team”.¹¹

28. On 17 March, after the failure of the Security Council to agree a “second” resolution on Iraq (see Section 3.8), Mr Kofi Annan, the UN Secretary-General, announced the withdrawal of all UN staff from the country.¹²

29. UNMOVIC and the IAEA suspended inspections in Iraq on 18 March.¹³

30. Admiral Sir Michael Boyce, Chief of the Defence Staff (CDS), issued the Execute Directive authorising UK military operations in Iraq on 18 March.¹⁴

31. The Execute Directive included an instruction to Lieutenant General John Reith, Chief of Joint Operations (CJO), to:

- “Support international efforts to find and eliminate Iraqi WMD capacity, its means of delivery and infrastructure”; and
- “... to provide support, as appropriate, to SSE activities during Phase 3 operations, but this must not be detrimental to overall FP [force posture] adopted”.

⁹ [Letter Andrews to Cabinet Office \[junior official\], 18 March 2003, ‘Bowen Group: Iraq WMD/Delivery Systems – Expanded Role for ROCKINGHAM’.](#)

¹⁰ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898, page 90.

¹¹ [Letter Andrews to Cabinet Office \[junior official\], 18 March 2003, ‘Bowen Group: Iraq WMD/Delivery Systems – Expanded Role for ROCKINGHAM’.](#)

¹² UN News Centre, 17 March 2003, *Annan to withdraw UN staff from Iraq*.

¹³ UN Security Council, 30 May 2003, ‘Thirteenth quarterly report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission’ (S/2003/580); IAEA.org, ‘INVO and Iraq Chronology’.

¹⁴ [Minute CDS to CJO, 18 March 2003, ‘Op TELIC: Authorisation for Military Operations in Iraq’ attaching paper ‘Chief of Defence Staff Execute Directive to the Joint Commander for Operation TELIC \(Phases 3 and 4\)’.](#)

32. The UK Military Campaign Objectives, published on 20 March, stated that the main tasks of the Coalition included:

- denying the Iraqi regime the use of weapons of mass destruction now and in the future;
- removing the Iraqi regime, given its clear and unyielding refusal to comply with the UN Security Council's demands; and
- identifying and securing the sites where weapons of mass destruction and their means of delivery were located.¹⁵

33. The list of “immediate military priorities” in the wake of hostilities included “work with UNMOVIC and the IAEA to rid Iraq of its WMD”.

34. On 17 March, Mr John Scarlett, Chairman of the Joint Intelligence Committee (JIC), sent Sir David Manning, Mr Blair's Foreign Policy Adviser and Head of the Cabinet Office Overseas and Defence Secretariat (OD Sec), a minute addressing the different elements of Iraq's capability, including Iraq's actions since the departure of the inspectors in 1998 to pursue chemical and biological weapons programmes, and Iraq's activities to pursue enhanced ballistic missile and other means to deliver them.¹⁶

35. In a Note produced on 19 March, the JIC continued to assess that Iraq had usable chemical and biological weapons and the intent to use them.¹⁷

36. The UK assessments of Iraq's WMD capabilities and intent and their evolution between 2000 and March 2003 are addressed in detail in Sections 4.1, 4.2 and 4.3.

37. In a discussion with President Bush on 24 March, Mr Blair underlined the importance of Coalition Forces finding Saddam's WMD.¹⁸

38. At the end of March, Mr Scarlett set out for No.10 the Assessments Staff view of what the Coalition might find in Iraq, including that:

- **the bulk of the sites that might yield results were located in the Baghdad area; and**
- **most had been “cleansed over the preceding six to nine months”.**

39. Mr Scarlett set out the views of the Assessments Staff on what “WMD” the Coalition “should expect to discover, when and how”, in a minute to Sir David Manning on 31 March.¹⁹

¹⁵ Iraq: Military Campaign Objectives, 18 March 2003.

¹⁶ [Minute Scarlett to Manning, 17 March 2003, 'Iraqi WMD: Evidence of Possession'](#).

¹⁷ [Note JIC, 19 March 2003, 'Saddam: The Beginning of the End'](#).

¹⁸ Letter Rycroft to McDonald, 24 March 2003, 'Iraq: Prime Minister's telephone conversation with President Bush, 24 February [sic]'.

¹⁹ [Minute Scarlett to Manning, 31 March 2003, 'Iraq: Update on WMD'](#).

40. Mr Scarlett wrote:

Chemical Weapons

- “Iraq is capable of producing the chemical agents mustard gas, tabun, sarin, cyclosarin and VX.”
- “Exact quantities of agent available are unknown, but we judge it is likely to be between 10 and 100 tonnes (3.5 tonnes of nerve agent would fill 1,000 artillery shells). We continue to judge that Iraq has produced chemical agent since UNSCOM [UN Special Commission] left in 1998, although intelligence suggests that agent production stopped prior to UNMOVIC’s deployment last autumn. We do not know where this activity took place, but it is probable that it used dual-use chemical facilities.”
- “We know from intelligence that the regime expended a great deal of effort in cleaning up all WMD associated sites, and dispersing equipment and material in advance of UN inspections.”
- “Details on chemical munitions are scarce. UNSCOM could not account for over 30,000 special munitions (both chemical and biological) although it is unlikely that all of these remain.”
- “We judge the most likely delivery means are artillery and battlefield rockets. [Reference to reporting of retention of shells] mustard filled artillery shells from a batch of 550 supposedly destroyed by Coalition air attack in 1991 ...”
- “Other means of delivery include aerial bombs, sprayers and missiles. UNMOVIC could not account for 6,500 aerial bombs (which could easily be hidden in a large hangar).”
- “Despite some reports that such munitions have been deployed to Republican Guard units, we judge that they probably remain under tight control ... in the area of Baghdad.”
- “Over last few days there have been a number of reports concerning chemical weapons ... But the nature of the sources makes the veracity ... difficult to judge.”
- A “few reports from senior Iraqi security officials” suggested that Iraq could not “prepare or produce chemical weapons”, and that its stocks were “dispersed, and that therefore such weapons will not be used”.
- “In assessing these statements it is necessary to take into account the limited access these individuals appear to have to military planning, their lack of technical expertise and accompanying comments which are less credible.”

Biological Weapons

- Iraq was “capable of producing biological agents, including anthrax, botulinum toxin, aflatoxin and ricin”.

- “The exact quantities of agent and munitions available are unknown.”
- “We have no intelligence that biological munitions have been deployed.”
- The location of mobile production facilities was not known, but they were “likely to be within areas tightly controlled by the regime”.

Missiles

- The UK was “still unclear” about the “state of readiness/assembly” of up to 20 Al Hussein missiles “or the numbers of launchers available. Some or all of these missiles could have been dismantled to aid concealment. While we believe Iraq retains the technical expertise to maintain and re-assemble ... the speed with which this can be achieved depends on the extent to which they have been disassembled, and the degree to which they might need access to specialised equipment.”

Sensitive Site Exploitation

- “The bulk of the sites which might yield results are located in the Baghdad area. But ... most sites previously associated with WMD production have been cleansed over the last six to nine months.”
- The JIC continued to judge that “key documents on Iraqi WMD programmes” had been “dispersed”.
- “Given the recent Iraqi emphasis on clean-up, dispersal and concealment, the best prospect of exposing the full extent of the WMD programmes rests in free contact with scientists, and other individuals, involved in the WMD programmes and the (extensive) concealment activity ...”

41. Sir David Manning commented to Mr Blair and Mr Jonathan Powell, Mr Blair’s Chief of Staff:

“Chances of finding WMD evidence slim before Baghdad falls and/or regime collapses.”²⁰

42. On 3 April, SIS reissued to Mr Scarlett and a wider readership, two reports, from 11 and 23 September 2002, stating that Iraq had continued production of chemical weapons (CW) after 1998.

43. The content and provenance of those reports, and their subsequent withdrawal, is addressed in Section 4.3.

²⁰ [Manuscript comment Manning on Minute Scarlett to Manning, 31 March 2003, ‘Iraq: Update on WMD’.](#)

Possible find of CBW agents

On 7 April, *The New York Times* reported that US troops had found several drums near Karbala that might contain nerve agents and mustard gas.²¹

Mr Hoon's Private Office informed No.10 that initial US tests had "indicated the presence of nerve and blister agents, but the chemicals could yet prove innocuous".²²

Four duplicate sets of samples would be taken from the drums by a specialist US team, one of which would be passed to the UK. Perceptions of the sampling process would be hugely important to the Iraq campaign. Openness and independent verification would be a counter to those ready to believe evidence had been faked. The UK would:

"... press US colleagues for their sampling process to include additional samples that can be passed to independent laboratories, and for sites to be maintained as 'scenes of crimes' so that third parties can verify there was no undue Coalition interference. Verification by a suitable non-Coalition laboratory will be essential if the results are to be credible in international (and domestic) opinion. There is clearly a role here for UNMOVIC or a successor organisation."

Mr Scarlett informed the Ad Hoc Meeting on Iraq on 8 April that there was no definitive information about the find by Coalition Forces of material which could be chemical and biological warfare agent.²³

Mr John Prescott, the Deputy Prime Minister, who was chairing the meeting in Mr Blair's absence, concluded that opportunities to conduct interviews with scientists who had been engaged on Iraq's WMD programmes should be "pursued when the fighting stopped".

44. Concluding discussion at the Ad Hoc Meeting on Iraq on 9 April, Mr Blair stated that the proposition that the UN weapons inspectors should return to Iraq could not be decided at present.²⁴

45. When Mr Blair spoke to President Bush on 10 April, they discussed the need to warn Syria not to give refuge to regime figures or to scientists who knew about Iraq's WMD.²⁵

46. In mid-April, Sir David Manning advised Mr Blair of the need for a coherent plan and greater urgency in the search for WMD.

47. The UK Government sought to reconcile differing UK and US views on the potential roles of UNMOVIC and the IAEA in the verification and monitoring of Iraqi WMD.

48. The US proposed a new organisation, the Iraq Survey Group (ISG), to lead the Coalition search for WMD.

²¹ *The New York Times*, 7 April 2003, *U.S. Finds Barrels that May Hold Chemical Weapons*.

²² Letter Bailey to Rycroft, 7 April 2003, 'Iraq – Handling of WMD Evidence'.

²³ Minutes, 8 April 2003, Ad Hoc Meeting on Iraq.

²⁴ Minutes, 9 April 2003, Ad Hoc Meeting on Iraq.

²⁵ Letter Rycroft to McDonald, 10 April 2003, 'Prime Minister's Conversation with Bush, 10 April'.

49. On 10 April, Sir David Manning chaired a meeting to discuss the search for WMD.²⁶ Participants included Sir Richard Dearlove (Chief of the Secret Intelligence Service (SIS)), Mr Scarlett, Mr William Ehrman (FCO Director General Defence and Intelligence), Air Marshal Sir Joe French (Chief of Defence Intelligence (CDI)) and Air Vice Marshal Clive Loader (Assistant Chief of the Defence Staff (Operations)).

50. Sir David identified three areas where co-ordination was necessary:

- the search for material on the ground;
- tracking down and interviewing Iraqi personnel involved in WMD programmes; and
- public presentation of the issue and media handling of finds.

51. Sir David commented that “US handling of those issues did not seem particularly structured. We could no doubt do better than the UNMOVIC inspections.”

52. Sir Richard Dearlove underlined that co-ordination with the US, which might want to control the search for WMD, was the key. He reported that SIS experts were already in Iraq. SIS was re-examining old material in the hope that it would generate leads.

53. Mr Scarlett identified four problems:

- the large number of Iraqis involved in WMD programmes and their concealment;
- the volume of documentation, much of which had been dispersed;
- the munitions, which UNMOVIC assessed had been concealed and dispersed in a disorganised manner; and
- co-ordination in the UK and with the US.

54. Sir David commissioned further advice from Mr Martin Howard, Deputy Chief of Defence Intelligence (DCDI), including whether there were any points Mr Blair would need to raise directly with President Bush.

55. Sir David concluded that the group would meet again to discuss the Whitehall machinery that should be established “to track and drive forward work in this area”.

56. Mr Howard sent advice on next steps to Mr Hoon the following day.²⁷ This addressed both the response to Sir David Manning and US proposals for a new organisation, the ISG, to take forward activity in the post-conflict phase.

57. Mr Howard recommended that Mr Hoon:

- approve a letter to Sir David Manning emphasising the need for Coalition commanders to give priority to WMD detection and elimination, and informing No.10 of the MOD’s intention to offer elements of the UK WMD expertise already in Iraq to the ISG and to consider what more could be made available; and

²⁶ Minute Cannon to PS/C, 11 April 2003, ‘Iraq: Searching for Evidence of WMD’.

²⁷ Minute Howard to PS/Secretary of State [MOD], 11 April 2003, ‘Iraq: WMD Detection and Elimination’.

- agree that the MOD should be prepared to approach former UNMOVIC, IAEA and UNSCOM inspectors from the UK to reinforce the UK effort.

58. Mr Peter Watkins, Mr Hoon's Principal Private Secretary, wrote to Sir David Manning on 11 April:

"As high intensity military action begins to draw to a close ... our strategic priority in Iraq should be the detection and elimination of undeclared WMD and delivery systems."²⁸

59. Mr Watkins wrote that the evidence on WMD would "come in a number of forms ranging from WMD materials through research facilities to documentation and IT records". Interviews of scientists and other Iraqi staff were "likely to be one of the most fruitful source[s] of evidence". It would also be essential to minimise the risks of proliferation of expertise. US and UK commanders had been given directions to search out and hold "personnel of interest".

60. Mr Watkins reported US proposals to create an organisation called the ISG, under the auspices of the US Defense Intelligence Agency (DIA), and that the US was:

"... keen to integrate UK and Australian expertise into this organisation. We intend, in the first instance, to offer elements of the UK's WMD expertise already deployed in theatre ... The total of our personnel currently deployed ... is some 100, increasing to 120 later this month."

61. Mr Watkins added that it was important the UK did not limit its work with the ISG to "the UK Area of Responsibility where sites and personnel of interest are thinner on the ground".

62. A public handling strategy would be needed, including "to moderate expectations of very early progress". Mr Watkins warned that the search for WMD and its eventual destruction was "likely to be a long haul ... months if not years".

63. Mr Watkins also reiterated concerns about the credibility of the Coalition's verification process should WMD be found:

"Given suspicions about Coalition motives, positive results would have considerably more force if they were verified 'separately' by a non-US/UK laboratory. Ultimately, we would like to see UNMOVIC or a successor body back in play. But US aversion to the UN means that this is unlikely to be achievable in the short/medium term."

64. Mr Watkins reported that the FCO was approaching the Netherlands to explore whether an independent laboratory there would be a possible alternative.

²⁸ [Letter Watkins to Manning, 11 April 2003, 'Iraq: WMD Detection and Elimination'](#).

65. The points which the MOD suggested Mr Blair might make to President Bush included:

- “Detection and elimination of WMD ... now becoming our top political priority. Need to build on current efforts and demonstrate that our casus belli has substance.”
- Coalition commanders “should give high priority to identifying and detaining” Iraqi scientists and other staff with information about Iraq’s activities.
- Support for an ISG and the hope that it could deploy “as soon as possible”.
- “Independent verification of US/UK WMD finds would be extremely useful politically, although clearly a complicating factor.”
- The UK’s “ultimate objective” was UN involvement, but it recognised “that [the] US had reservations”.

66. Sir David Manning showed Mr Blair the advice from Mr Howard to Mr Hoon, including the draft letter from Mr Hoon to Sir David, which differed little from the version that was sent. Sir David commented:

“We need a coherent plan for Iraqi WMD. This is work in progress ... We need to inject greater urgency; and I am not yet convinced that we need do everything as part of one large US-led organisation. Finding people [involved in Iraq’s WMD programmes] is key. That doesn’t depend on CENTCOM [Central Command].”²⁹

67. In an interview for the Spanish newspaper *El País*, published on 9 April, Dr Hans Blix, the Executive Chairman of UNMOVIC, made a number of points about the role of UNMOVIC and the events preceding military action in Iraq.³⁰ Those included:

- The US and UK had told UNMOVIC that Iraq possessed weapons of mass destruction. UNMOVIC never accepted that statement as an established fact; its job was to establish the facts.
- UNMOVIC had visited sites identified by the US and UK and found “nothing that had to do with weapons of mass destruction”.
- The US intelligence services had provided information to the IAEA about “contracts for a presumed purchase of enriched uranium from Niger” which were a “crude lie” (see Box, ‘Uranium and Niger’, later in this Section).
- After his report to the Security Council on 27 January criticising Iraq it had begun to co-operate and provide “significant data”, including the names of many technicians and scientists who had participated in the development of biological and chemical weapons in 1991. UNMOVIC “needed some months to work on it”.
- The US had welcomed his report on 27 January, but the “great paradox” was that from then on Iraq began to co-operate and the US began to criticise him (Dr Blix).

²⁹ [Manuscript comment Manning to Prime Minister, 12 April 2003, on Minute Gibbons to Manning, 11 April 2003, ‘WMD Detection and Elimination’.](#)

³⁰ Global Policy Forum, 9 April 2003, *Interview With Hans Blix: By Ernesto Ekaizer, El Pais.*

- The US and UK had become “very impatient in the first days of March”, and UNMOVIC had not been left “to finish the task”.
- The presumed threat from Iraq could have been controlled through inspections.
- He did not accept the US view that “the war with Iraq was a way of sending a sign to other countries to preclude their acquisition of weapons of mass destruction”. If a country felt its security was assured, it would not have the need to think about WMD. That was the first line of defence against the proliferation of WMD. North Korea now wanted nuclear arms to fend off others.

68. At the Ad Hoc Meeting on Iraq on 12 April, Mr Straw stated that the UK Permanent Mission to the UN in New York (UKMIS New York) would be challenging Dr Blix on the media story that the British had fabricated evidence about Iraq’s WMD.³¹

69. UKMIS New York reported that, at the meeting of the Security Council on 22 April, Dr Blix had said:

“... some recent reports of his comments – translated from foreign languages into English – had contained serious errors. It was true that he had pointed to weaknesses in intelligence provided, but he had also always stressed the need for intelligence and the difficulties agencies faced. He had not suggested that any government had fabricated evidence. In addition he had indeed said that US patience seemed to run out at the same time as the Iraqis had become more proactive. But if asked about the causal link, his view would be that the Iraqis had become more active when they had seen that time was running out.”³²

70. In a statement to the House of Commons on 14 April, Mr Blair reported:

“... of 146 possible sites known to us, investigations have begun in seven but, in any event, we know that for six months before the return of UN inspectors, Saddam put in place a systematic campaign of concealment of weapons of mass destruction. Until we are able to interrogate the scientists and experts who worked on the programmes, and the UN has a list of some 5,000 names, progress is bound to be slow. A specialised team, however, is beginning work and we are in discussion with allies and the UN as to what the future role of the UN in such a process may be.”³³

71. In his conversation with President Bush on 14 April, Mr Blair stated that there was a need to manage media expectations in the search for WMD and suggested there should be no hesitation in offering amnesty in exchange for concrete information on WMD.³⁴

³¹ Minutes, 12 April 2003, Ad Hoc Meeting on Iraq.

³² [Telegram 705 UKMIS New York to FCO London, 23 April 2003, 'Iraq: UNMOVIC: 22 April'](#).

³³ House of Commons, *Official Report*, 14 April 2003, column 616.

³⁴ Letter Cannon to McDonald, 'Iraq: Prime Minister's conversation with Bush, 14 April'.

72. On 16 April, Mr Scarlett informed Sir David Manning of the content of his discussions with CIA officials earlier that day, which covered a number of issues, including the use of available intelligence in the exploitation process.³⁵

IAEA report, April 2003

The IAEA's 15th report on Iraq, covering the period between 1 October 2002 and 1 April 2003, was submitted to the Security Council on 14 April 2003.³⁶ The report stated:

- “As of 17 March 2003, the IAEA had found no evidence or plausible indication of the revival of a nuclear weapons programme in Iraq”; but the time available “for the IAEA before inspections were suspended was not sufficient to permit it to complete its overall review and assessment”.
- “Provided that Iraq’s co-operation had remained active, and barring unforeseen circumstances, the IAEA would have been able to provide the Security Council with credible assurance regarding the absence of such revival within two to three months of continuing verification activities.”
- Many areas of Iraqi expertise seemed to have been significantly depleted, and the “core of expertise” on centrifuge enrichment that existed in 1990 appeared to have been “largely disbanded”.
- The IAEA, “with the concurrence of outside experts”, had concluded that documents provided “by a number of States that pointed to an agreement between Niger and Iraq on the sale of uranium to Iraq between 1999 and 2001... were in fact forged”.
- The IAEA had therefore concluded that those specific allegations were “unfounded”, but “it could not be automatically extrapolated ... that Iraq had never sought to import uranium”. The IAEA “would continue to investigate the matter”.
- “Extensive field investigation and document analysis had failed to uncover any evidence” that the aluminium tubes sought by Iraq were intended for use in “any project other than the reverse engineering of rockets”.
- “IAEA experts familiar with the use of ... magnets in centrifuge enrichment have verified that none of the magnets that Iraq has declared could be used directly for a centrifuge magnetic bearing”. Investigations with foreign manufacturers contacted by Iraq were “ongoing”.

In relation to recent events, the IAEA report stated:

- During the period under review it had conducted 237 inspections at 148 sites. Iraq had provided access to all facilities requested by the IAEA “without conditions or delay”.
- The Iraqi authorities had made available “over 7,000 pages of additional ... documentation” and “a large number of documents” relating to “Iraq’s pre-1991 laser enrichment programme were found in the home of a former Iraqi scientist”.

³⁵ Minute Scarlett to Manning, 16 April 2003, ‘Iraq: Discussion with CIA Directorate of Intelligence’.

³⁶ UN Security Council, ‘Letter dated 14 April 2003 from the Secretary-General addressed to the President of the Council’ attaching ‘Fifteenth consolidated report of the Director General of the International Atomic Energy Agency under paragraph 16 of Security Council resolution 1051 (1996)’, S/2003/422.

- Iraq had “provided an updated list of 430 key technical staff involved in the past programme and their current work locations. The list covered the great majority of essential staff.” The IAEA was “able to interview 17 individuals selected by the IAEA at locations chosen by the IAEA”. Some restrictions were imposed at the beginning, “when interviewees first refused to be seen without the presence of an Iraqi observer. Subsequently interviewees accepted to be seen alone, but requested that their interviews be taped. Ultimately, two individuals accepted to be interviewed in private and without being taped. Most of the interviews proved to be of significant help in improving the IAEA’s understanding of the current state of Iraq’s nuclear related capabilities.”
- Before inspections were suspended, the IAEA was “able to resolve the modalities” for interviews outside Iraq.
- Since the inception of a system to review applications to sell or supply single or dual-use items, in May 2002, the IAEA had examined 9,965 contract communications. Of those, 0.1 percent had contained prohibited items.
- The IAEA had “repeatedly called on States to provide actionable information of direct and current value” relevant to its mandate. “Towards the end of the recent inspections”, there had been “an increase in the provision of such information”, but the “nature and extent of that information remained limited”.
- The Iraqi declaration submitted on 7 December 2002 “did not provide any significant new information” relevant to the issues outstanding since December 1998.

The report concluded that “as the sole legal authority to verify Iraq’s nuclear activities”, the IAEA remained “ready, subject to Security Council guidance, to resume its verification activities as soon as conditions permit”.

73. Mr Tony Brenton, Chargé d’Affaires at the British Embassy Washington, discussed the role of UNMOVIC with Mr John Bolton, US Under Secretary of State for Arms Control and International Security, on 15 April.³⁷

74. Mr Brenton reported that the UK should not expect the US to agree any role for UNMOVIC in the short term. The US had particular concerns about UNMOVIC inspectors handling sensitive intelligence on countries outside Iraq that revealed details about global WMD networks, including procurement and financing. Even in the longer term, UNMOVIC would have to be reformed before the US would consider involving it. The US was willing to work with the UK on other ways to validate WMD finds.

75. Mr Brenton advised that the US argument about intelligence had evident force. The UK would need to have a good answer if it was to maintain its current position on UNMOVIC.

76. The Cabinet Office reported to Sir David Manning that there was a “consensus that UNMOVIC/IAEA should not – and cannot – return to Iraq in the immediate future”, but in a meeting on 16 April officials had:

³⁷ Telegram 507 Washington to FCO London, 15 April 2003, ‘US/Iraq: Role of UNMOVIC’.

“... agreed that a restructured UNMOVIC/IAEA would represent the most credible way of certifying elimination ... While US private statements on Blix/Baradei [Dr Mohamed ElBaradei, Director General of the IAEA] have been harsh, we have seen nothing to suggest the Administration would rule out the inspectors returning after a period of time, without Blix, restructured, and in co-operation with the Coalition (though the precise mechanics of the last will no doubt prompt debate). The time to restructure/recruit could cover the period until Blix’s retirement in June.”³⁸

77. Responding to Mr Brenton on 16 April, the FCO stated that the UK agreed with the US on the immediate next steps, and on the need for credible third-party verification.³⁹ The UK did not want the future role of UNMOVIC to become a UK/US problem. Conditions in Iraq were such that it could be argued the return of inspectors was not an issue. The UK was happy to discuss options for verifying Coalition discoveries, but it was important to keep in mind the need for credibility, and “what the market will bear in New York”. UNMOVIC and the IAEA were the bodies likely to carry most weight in verifying and validating Coalition finds. The UK would look at alternatives, but they must be sufficiently credible not to be dismissed as US/UK stooges and there were “no obvious candidates”.

78. The FCO stated that US officials had previously indicated that they were “prepared to consider the verification/validation task being performed by a ‘restructured’ UNMOVIC and INVO [the IAEA’s Iraq Nuclear Verification Office]”. UNMOVIC’s leadership also needed to change. Dr Blix had said he would not extend his contract when it expired in June.

79. The FCO believed that the type of restructuring it had in mind could take place “without adjustment to UNMOVIC/INVO’s mandates”. It was:

“... reluctant to offer more scope than absolutely necessary for others to make difficulties for us in the Council. And, presentationally, it strikes us as an own goal for the Coalition to start trying to re-write the very UNSCRs which we took military action to uphold.”

80. The FCO saw “substantial practical advantages” in UNMOVIC and the INVO retaining responsibility for the destruction of WMD, which “could be a lengthy, hazardous and very expensive task”. There would also be a need to consider whether long-term monitoring arrangements could be required.

81. The FCO concluded that “a successful intrusive inspection regime tailored to the post-war Iraqi circumstances could be a useful precedent for dealing with other proliferators”.

³⁸ Minute Cabinet Office [junior official] to Manning, 17 April 2003, ‘Iraq: Role of UNMOVIC/IAEA’.

³⁹ Telegram 168 FCO London to Washington, 16 April 2003, ‘US/Iraq: Role of UNMOVIC’.

Security Council debate on the future role of UNMOVIC

82. In a meeting in New York on 22 April, Mr Bolton told Sir Jeremy Greenstock, UK Permanent Representative to the UN, that “the US did not disagree with credible inspections and getting WMD finds into the public domain”.⁴⁰ But it was:

“... concerned about involving UNMOVIC too soon or too extensively ... The UNMOVIC issue should be left on the backburner – it would become less of a problem as the Coalition made discoveries.”

83. Sir Jeremy replied that the UK was “less neuralgic” than the US about involving UNMOVIC, but would “not force the issue”. The UK wanted to ensure that there were “credible arrangements that left no doubt over Coalition discoveries”. He also said that:

“US reluctance would be seen as a general reluctance to have the UN involved in post-conflict Iraq (this was manageable). We had not identified any credible alternatives ... [I]f international verification emerged strengthened from the Iraq issue it could be used in other cases.”

84. The Security Council discussed UNMOVIC on 22 April.⁴¹

85. Sir Jeremy Greenstock described the discussion as “subdued”. He reported that Dr Blix told the Security Council that it was evident that civilian inspections could not operate in Iraq. In addition, some of the assumptions on which the Council had established UNMOVIC had changed, and it was entirely natural that the Coalition should establish units to search for WMD.

86. The draft UNMOVIC work programme could be adapted to assume that UNMOVIC would:

- verify and corroborate Coalition findings;
- continue to supervise destruction of WMD; and
- carry out longer-term monitoring.

87. Sir Jeremy reported that almost all members of the Security Council accepted the need for UNMOVIC to return to Iraq and most highlighted the link with the lifting of sanctions, but none pressed the US hard. The IAEA representative reported that Dr ElBaradei’s view was that the IAEA should resume inspections as soon as possible; it was the only body with legal powers to verify nuclear disarmament.

88. Sir Jeremy told the Security Council that the UK saw a role for UNMOVIC and the IAEA in verifying disarmament and long-term monitoring. He added that Coalition Forces were “fully aware of the need to be active, professional, and to treat all relevant

⁴⁰ [Telegram 705 UKMIS New York to FCO London, 23 April 2003, ‘Iraq: UNMOVIC: 22 April’.](#)

⁴¹ [Telegram 705 UKMIS New York to FCO London, 23 April 2003, ‘Iraq: UNMOVIC: 22 April’.](#)

WMD evidence responsibly. We would share with the UN any relevant information we uncovered.”

89. Ambassador John Negroponte, the US Permanent Representative to the UN, made no reference to UNMOVIC. He said that the Coalition had been focused on re-establishing security and would now intensify the search for WMD. This was “likely to take time”. The US:

“... recognised the need for transparency ... But ... the disarmament regime needed to be reassessed given the new facts on the ground ... [T]he Coalition was still very much in the stabilisation phase and the principal efforts in the search for WMD remained ahead of us.”

90. Responding to comments made during the discussion, Dr Blix made a number of points, including:

- “For independent verification, UNMOVIC would need access to locations and persons.”
- “... UNMOVIC was the only international body which had a role and expertise in inspections of biological weapons and missiles. If we were moving to a WMD free zone there was a question of whether we should extend rather than dismantle that capability.”

Creation of the Iraq Survey Group

91. In mid-April, the US invited the UK and Australia to participate in the ISG.

92. At the end of April, Mr Hoon approved the deployment of specialist UK units to the ISG.

93. On 16 April, AM Burridge’s Private Office informed PJHQ that 119 UK personnel were “dedicated to SSE operations”.⁴² Most were attached to XTF-75, with 44 “on call” from 1st (UK) Armoured Division. An additional 68 personnel were attached to “Supplementary Assets” assigned to force protection tasks, and could be “co-opted to SSE operations” through a request to AM Burridge.

94. AM Burridge’s Private Office proposed a number of additional UK contributions to support the creation of the ISG, including appointment of a UK deputy head of the ISG and additional life support to UK SSE personnel.

95. In its meeting on 16 April, the JIC was informed:

“The US had invited the UK and Australia to participate in the Iraq Survey Group (ISG), which would be tasked with looking at a range of post-conflict issues,

⁴² Letter Capewell to PJHQ, 16 April 2003, ‘Report from the Iraq Survey Group (ISG) Conference Held at CENTCOM Forward Headquarters (CFH) – Qatar 13/14 April 2003’.

including WMD, War Crimes and Terrorism, and would be fully effective in about four weeks. It was clear that the US placed a different priority on WMD, which was near the very top of the UK political agenda. Mr Howard would lead a UK team to Washington ... and would listen to American views, clarify their intentions ... and emphasise the importance the UK placed on the WMD issue. He would report back to the Committee at their next meeting, after which the Chairman would brief the PM.”⁴³

96. Mr Scarlett subsequently asked Mr Howard to report on whether the activities to establish the existence and scope of Iraq’s capabilities was being given a sufficiently high priority in all parts of the US Administration. Depending on his report, the JIC might want to recommend the possible appointment of a senior political figure to oversee the Coalition effort on WMD.⁴⁴

97. On 21 and 22 April, Mr Howard led a UK team from the MOD, the FCO and SIS to Washington to discuss the ISG with a US team including Major General Keith Dayton, its future military commander.⁴⁵

98. The British Embassy Washington reported after the talks that the ISG would be “substantial”, with up to 2,000 personnel, and its task would be to “piece together the deeds of Saddam’s regime, in particular the WMD programmes”. The US Department of Defense (DoD) expected to have an initial operating capability in Iraq by the end of May and that its work would take about six months. Maj Gen Dayton would welcome “a substantial UK input”, including providing his Chief of Staff.

99. The talks had highlighted several “pressing issues”:

- gaining access in the short term to scientists and those involved in concealment;
- improving the flow of information between theatre and capitals;
- managing public expectations about WMD discoveries; and
- third-party validation of those discoveries.

100. US and UK officials agreed that:

“... Coalition forces in theatre needed to start to shift their attention away from the (well-known) sensitive sites and onto finding the right people to interview. High value targets were only part of the picture. Piecing together the puzzle would depend just as much on the co-operation of mid-ranking officials.

“... The immediate priority should be for the commanders in theatre to set up safe zones and reception points for Iraqis who wanted to provide information ... Former UNSCOM inspectors could then assist in interviews.”

⁴³ Minutes, 16 April 2003, JIC meeting.

⁴⁴ Letter Scarlett to Howard, 22 April 2003, ‘Iraq: WMD Review: Your Visit to the US’.

⁴⁵ Telegram 534 Washington to FCO London, 23 April 2003, ‘Iraq: Setting Up the Iraq Survey Group’.

101. The need to manage public expectations was also discussed. The process would be long and technical.

102. Mr Dowse, the FCO member of the UK delegation, highlighted a number of points to Mr Straw, including:

“The immediate need is to ensure that both US and UK are making best use of the quite substantial specialist military assets we have in theatre now, to pursue the search for evidence of WMD programmes. Our understanding is that the UK assets are not being used at all in their intended roles; the (500-strong) US 75th Exploitation Task Force is searching sites, but largely on an opportunity basis rather than in accordance with a coherent set of priorities. The commanders on the spot have – understandably been focused on ... [other issues]. They now need to make a further gear-change, and put WMD at the top of their priorities. DCDI [Mr Howard] will visit theatre early next week to make sure this message gets across to UK commanders. The Americans are taking parallel action with CENTCOM.”⁴⁶

103. Mr Dowse reported that, contrary to the reporting telegram from Washington, the ISG was expected “to roll out incrementally from the start of May”, and:

“Subject to Mr Hoon’s approval, MOD have agreed in principle to a UK contingent in the ISG of about 100 specialist personnel, including the Chief of Staff.”

104. Mr Desmond Bowen, the Deputy Head of OD Sec, held a meeting on 24 April “to focus on the very short term, before the ISG is fully up and running at the end of May”.⁴⁷ He informed Sir David Manning that three main obstacles to early progress had been identified:

- the search for WMD not being CENTCOM’s priority and the military operating “in a piecemeal fashion”;
- poor security, especially in Baghdad, making it difficult and dangerous to interview some of those known to be involved; and
- the absence of incentives for scientists and others to come forward.

105. The meeting produced two ideas:

- immediate establishment of a pilot scheme in Basra, using UK resources, to take advantage of the fact that many WMD scientists were “likely to have been Shia and may have gone home to the South”; and
- development of an incentives package.

106. Mr Bowen recommended a “real push” with the Americans and offered Sir David Manning a note to use with Dr Rice.

⁴⁶ [Minute Dowse to Private Secretary \[FCO\], 23 April 2003, ‘Iraq WMD: UK/US Talks, 21-22 April’.](#)

⁴⁷ Minute Bowen to Manning, 25 April 2003, ‘Iraq Survey Group’.

107. Mr Howard recommended next steps to Mr Hoon on 24 April.⁴⁸ He explained that the relevant US agencies:

- agreed that the discovery of WMD was a “high and urgent policy priority”;
- recognised the political, presentational and legal pressures for the UK;
- agreed that the ISG would be “the primary executive vehicle” for detection work once it was fully established by the end of May;
- agreed the need to redirect US and UK resources in theatre while the ISG was still building its capacity;
- accepted “the political desirability of third party validation” of finds and did “not appear to rule out the involvement of the UN in this process”, although there was “considerable hostility to UNMOVIC in its present form”; and
- agreed the need for co-ordinated public handling and expectation management.

108. In relation to UK support for the ISG, Mr Howard recommended that Mr Hoon:

- accede to the US request to provide a Chief of Staff to Maj Gen Dayton;
- agree, as a first step, to assign certain assets already in Iraq to the ISG for an initial period of six months and for deployment across Iraq:
 - 12 personnel from the DIS Battlefield Intelligence Recovery Team;
 - eight personnel from the Joint Forces Interrogation Team;
 - eight personnel from 7630 (HUMINT) Squadron;
 - four personnel from Document Exploitation teams; and
- agree that officials should pursue additional steps to enhance the UK contribution, including the urgent recruitment and redeployment of WMD experts.

109. Lieutenant General Andrew Ridgway, who had succeeded AM Sir Joe French as CDI, informed Lt Gen Reith that Mr Hoon had approved Mr Howard’s recommendations.⁴⁹

110. Lt Gen Ridgway explained that a revised Execute Directive for Op TELIC would reflect the need for activity in theatre to match the very high priority attached to discovery of WMD.⁵⁰ In the meantime, he requested Lt Gen Reith’s support in ensuring all were aware of the importance attached to the work.

111. On 25 April, Mr Howard informed Vice Admiral Lowell E Jacoby, Director of the DIA, that Mr Hoon had approved the broad outline of the UK contribution to the ISG.⁵¹ It would include a Chief of Staff for Maj Gen Dayton and, as a first step, for an initial period of six months and for theatre-wide deployment, 30-40 personnel comprising:

⁴⁸ Minute Howard to PS/SofS [MOD], 24 April 2003, ‘Iraq: WMD Detection and Elimination’.

⁴⁹ Minute CDI to CJO, 25 April 2003, ‘Iraq: WMD Detection and Elimination’.

⁵⁰ General Sir Michael Walker, Chief of the Defence Staff, issued an addition to the Execute Directive relating to the ISG on 18 June.

⁵¹ Letter Howard to Jacoby, 25 April 2003, ‘Iraq Survey Group: UK Contribution’.

- the DIS Battlefield Intelligence Recovery Team;
- the Joint Forces Interrogation Team;
- 7630 (HUMINT) Squadron of the Royal Auxiliary Air Force;
- a Document Exploitation Team.

112. Mr Howard explained that other possible contributions were being investigated “as a matter of urgency”.

113. Mr Hoon’s Private Office informed Sir David Manning on 28 April that:

“The Defence Secretary has agreed that we should respond positively to a US request to provide a military ... Chief of Staff for the ISG, and that we should assign to the ISG UK specialist WMD related units, amounting initially to some 30-40 personnel, already in theatre or about to arrive. We are also looking at dedicating other analytical expertise (including a Porton Down⁵² mobile laboratory and ex-UN inspectors) to the ISG effort. The US Commander of the ISG (Major General Keith Dayton) anticipates taking full command around 30 May, though many US and UK elements of the ISG should be in operation well before then ... There are considerable variations of view in the US on timescales. General Dayton is talking in terms of six months. Others see the process taking two years or more.”⁵³

114. Mr Hoon’s Private Office explained that there was “a complex process” to go through to ensure assets already in theatre before the ISG was established were put to best use. Maj Gen Dayton was discussing the issue with CENTCOM. A UK team led by Mr Howard would do the same with AM Burridge the following week.

115. Mr Howard reported the outcome of his visit to the ISG planning team in Kuwait and the site of the future ISG Survey Analysis Centre in Qatar to Mr Bowen on 2 May.⁵⁴ Mr Howard identified security and logistic support as the main constraints on increasing the WMD effort in theatre. WMD activity had to compete with other high priorities, including support for the Office of Reconstruction and Humanitarian Assistance (ORHA).

116. Mr Howard stated that he had “found no lack of commitment or urgency in respect of WMD exploitation” and there was “an element of resentment that Washington and London did not recognise the scale of the current effort”.

117. Asked by US personnel whether UK political, legal and media opinion would be satisfied if nothing was found and the case for military action rested on the fact that Saddam Hussein retained the expertise and could have built a WMD capability, Mr Howard had responded that he thought not:

⁵² The UK chemical and biological defence establishment at Porton Down, Wiltshire.

⁵³ Letter Williams to Manning, 28 April 2003, ‘Iraq WMD Detection and Elimination’.

⁵⁴ Letter Howard to Bowen, 2 May 2003, ‘Iraq: WMD Exploitation: The View From Theatre’.

“We may not ultimately need to be able to point to vast stockpiles of agent, missiles or warheads. But we would at the least need hard evidence of a programme that could be mobilised at short notice and concealment activity.”

118. Mr Howard also reported that there had been strong support for a scheme to incentivise and attract scientists to speak to the Coalition.

119. Separately, Mr Howard advised Mr Scarlett that he saw no need to appoint a senior political figure to oversee the Coalition effort on WMD detection.⁵⁵ His impression was that Secretary Rumsfeld and Mr Stephen Cambone, US Under Secretary of Defense for Intelligence, had a firm political grip on policy and execution. The difficulty lay in transmitting the sense of priority and urgency into action on the ground.

120. A paper prepared by the MOD on 3 May for the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) on 8 May, stated that, by 30 April, investigations had begun at 19 of the 147 highest-priority potential WMD-related sites identified by the US and UK before the invasion, and at a further 42 ad hoc sites.⁵⁶ There were 400 lower-priority potential WMD sites remaining to be investigated.

121. The MOD stated that the proposed mission of the ISG was to:

“Co-ordinate and conduct intelligence exploitation throughout Iraq and locate, disable and eliminate Iraqi CBRN/M [chemical, biological, radiological, nuclear/ missile] production, storage facilities and materials in order to: complete the removal of the Iraqi regime; enable the prosecution of war crimes and crimes against humanity; determine the status of Kuwaiti POWs ... remove the threat from Iraqi WMD and assist the Global War on Terrorism.”

122. The concept of operations for the ISG was “still fluid” and could pose some difficulties for the UK.

123. The FCO and the MOD were “developing proposals for a reconstitution of UNMOVIC tailored to the new permissive environment in Iraq”.

124. The Cabinet Office’s Annotated Agenda for the AHMGIR stated that “US investigation efforts are currently ad hoc but will be established on a sounder footing from the end of May”. The ISG would have over 1,000 specialist staff. Officials invited Ministers to “note the progress made and the time likely before investigations produce clear results”.⁵⁷

⁵⁵ Letter Howard to Scarlett, 2 May 2003, ‘Iraq: Weapons of Mass Destruction: My Visit to Washington’.

⁵⁶ [Annotated Agenda, 7 May 2003, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting attaching Paper MOD, 3 May 2003, ‘Annex E: WMD and the Work of the Iraq Survey Group’.](#)

⁵⁷ Annotated Agenda, 7 May 2003, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting.

125. AM Burrige criticised CENTCOM's handling of SSE operations in his 'Hauldown Report' of 8 May.⁵⁸ He wrote:

“The scale and complexity of SSE was underestimated by CENTCOM who primarily focused on sites with WMD connections. They became fixated on the Weapons of Mass Destruction Master Site List (WMSL) and there was unfounded confidence that the ‘smoking gun’ would be found during the exploitation of early Priority 1 sites. With the rapid collapse of the regime and the failure to find any evidence of WMD, there was a realisation that the number of non-WMD sites was far in excess of capability. These needed rapid exploitation before looting destroyed any potential evidence. The diversity of agencies ... and forces ... involved resulted in a fragmented approach ... In addition, reporting mechanisms were developed well after the start of operations, which resulted in confusion and inability to track progress.”

126. AM Burrige also criticised the US decision to embed media in XTF-75. The “delay in establishing the facts associated with many discoveries” had led to friction in the command chain.

127. On 11 May, an article published in *The Washington Post* described the replacement of XTF-75 by the ISG as “a milestone in frustration for a major declared objective of the war”, but recognised that:

“Even the sharpest sceptics do not rule out that the hunt may eventually find evidence of banned weapons. The most significant unknown is what US interrogators are learning from senior Iraqi scientists, military industrial managers and Iraqi government leaders now in custody ... Publicly, the Bush Administration has declined to discuss what the captured Iraqis are saying. In private, US officials provide conflicting reports, with some hinting at important disclosures.”⁵⁹

128. The article attracted wide coverage and prompted sharply contrasting headlines in the UK:

- in *The Telegraph*: “Americans keep up pressure on banned weapons”;⁶⁰
- in *The Guardian*: “Weapons taskforce leaves in failure”.⁶¹

129. The work of XTF-75 was summarised in the introduction to the final report of the ISG, published in September 2004:

“Many sites were inspected but with an aim of discovering WMD, not inspecting and developing an analytical assessment of the Iraqi programs. Wartime conditions

⁵⁸ Minute Burrige to CJO, 8 May 2003, ‘NCC Operation TELIC Hauldown Report: 07 Feb 03 – 08 May 03’.

⁵⁹ *The Washington Post*, 11 May 2003, *Frustrated, US Arms Team to Leave Iraq*.

⁶⁰ *The Telegraph*, 12 May 2003, *Americans keep up pressure on banned weapons*.

⁶¹ *The Guardian*, 12 May 2003, *Weapons taskforce leaves in failure*.

prevailed with concern about force protection primary. The work of XTF-75 was therefore aimed at discovery of possible WMD locations (to eliminate a threat), not the compilation of evidence to build a picture of what happened to the weapons and programs.

“This early approach, perhaps logical if the goal was simply to find hidden weapons, undermined the subsequent approach of piecing together the evidence of the Iraqi WMD programs such as they existed. In fact, combined with the chaos of the war and the widespread looting in the immediate aftermath of the conflict, it resulted in the loss of a great amount of potentially very valuable information and material for constructing a full picture of Iraqi WMD capabilities. Sites were looted. Documents were either ignored or collected haphazardly or burned by either the Regime or Coalition forces.”⁶²

130. In his memoir, Mr George Tenet, the US Director of Central Intelligence (DCI), wrote that a lot of time had been lost by the time the ISG was established:

“... the Iraqis had been deliberately destroying records ... government files were being seized by the truckload by groups such as the Iraqi National Congress ... raising questions about the validity of any information that might later be discovered in these documents”.⁶³

131. Lieutenant General Sir Robert Fry, Deputy Chief of Joint Operations during the invasion, told the Inquiry:

“We certainly had special processes: Sensitive site exploitation ... and as the conventional advance went on there were a series of sites that were pre-identified that were then searched for evidence of WMD.”⁶⁴

132. Asked what proportion of the military operation was geared to finding WMD, Lt Gen Fry said:

“It was small ... subordinate to decisive manoeuvre. Getting to Baghdad, winning the conventional phase was what it was all about and this was very much a subtext, but an important subtext.”⁶⁵

133. Sir Richard Dearlove told the Inquiry:

“I think that some of us expected that there would be some finds relatively quickly, you know, whilst the trail was still hot. So it was very frustrating, in the early weeks after the military conflict finished, when there was absolutely no progress made at all.

⁶² Central Intelligence Agency, 30 September 2004, *The Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*.

⁶³ Tenet G & Harlow B. *At the Centre of the Storm: My Years at the CIA*. HarperPress, 2007.

⁶⁴ Public hearing, 16 December 2009, page 69.

⁶⁵ Public hearing, 16 December 2009, page 68.

“What we hoped was that maybe a military unit would run into something. But I also remember the figure for the number of unguarded Iraqi ordnance dumps across Iraq, and strictly speaking, all of those should have been inspected, but it was completely impossible to do so.”⁶⁶

134. SIS4 told the Inquiry what he had expected to be found when the search began:

“It seemed to me that we had to get a fire blanket over the proliferation hazards, and very quickly indeed ...

“Secondly, while not expecting gleaming arrays of kit to be found, just curiosity meant that we longed to get in there and find out what we had been tinkering with.

“Lastly, the Whitehall political question, ‘Well, SIS, you have been party to this high tension pursuit of WMD. Where is it then?’

“So the need to orchestrate immediate follow-up inside Iraq on all that we knew, all the leads, seemed to me to be very, very, very important. I was concerned that the lead on this was going to MOD and in America, and my anxieties were borne out by what happened. There were ammo dumps in Iraq covering square kilometres ... It was a huge task, and it needed very, very skilful and dynamic generalship to run the follow-up. I’m afraid that didn’t happen.”⁶⁷

135. Asked whether SIS had a plan to deal with the situation, SIS4 said that he recognised:

“... it wouldn’t be up to us. We didn’t have the staff. We didn’t have the authority. But I did make the point repeatedly in conversations with people in Whitehall, particularly with the military, that this needed gripping. The plan needed to be written, and command and control put in place to make sure the plan was implemented.

...

“Movement inside Iraq was very tightly controlled by the military. People were being arrested. My memory is that we did try to get access, but it was very muddled ... We put people on the ground quite quickly to be there to follow things up, but I don’t recall any good coming out of it. At this time, of course, the military were on the ground in Iraq. Force protection and military requirements, operational requirements took priority.”⁶⁸

136. SIS4 expressed surprise at the relative lack of concern about WMD after the military operation ended: “deployments remained, things were put in place, but they weren’t being driven from the very top”.⁶⁹

⁶⁶ Private hearing, 13 July 2010, page 18.

⁶⁷ Private hearing, [undated], Part 2, page 21.

⁶⁸ Private hearing, [undated], Part 2, pages 21-22.

⁶⁹ Private hearing, [undated], Part 2, page 25.

137. SIS3 told the Inquiry:

“I assumed, as others did, that there was indeed WMD. I mean, it was very swiftly shown that the nuclear reporting was pretty accurate and the missile reporting was accurate. But the CBW, obviously, that became clear within a few weeks that there was a problem. We had expected to come across facilities or shells and so on, and we didn’t. Therefore there was already political clamour, if you like.”⁷⁰

Managing public expectations

138. On 21 April, Mr Straw expressed scepticism to Mr Blair about the likelihood that physical evidence of Saddam Hussein’s WMD would be found.

139. On 28 April, Mr Blair told the media “we can take our time about this and so we should”. He expressed confidence that WMD would be found.

140. On 21 April, Mr Straw told Mr Blair:

“I am very worried that, inexorably, we are being pushed into a position where we accept that the war will only have been justified if a significant WMD find is made. This is exactly the place where our opponents, at home and abroad, and the media want us. We should not go there.

“The military action was justified the day we took it, on the grounds that:-

- the Saddam regime had had chemical and biological weapons – we know that for sure;
- it had failed to meet a mountain of UN obligations;
- a huge number of questions about its WMD position and capabilities remained unanswered (Blix’s 173 page report), and Iraq simply refused to co-operate properly, raising entirely legitimate issues in the minds of most members of the Security Council that they had a lot to hide.”⁷¹

141. Mr Straw continued:

“However, I remain sceptical that physical evidence of WMD will be found:-

- Saddam had every motive, and months of notice before the fall of Baghdad to destroy all WMD evidence; so did his collaborators;
- remarkably little circumstantial evidence has so far been forthcoming;
- the expectations from the intelligence have always been greater than the product, so far;

⁷⁰ Private hearing, 2010, page 4.

⁷¹ [Minute Straw to Prime Minister, 21 April 2003, ‘Iraq: the Search for WMD and the Case for the War’.](#)

- I was struck by General Franks' caution on this when I saw him ([Mr Colin] Powell [US Secretary of State] has been dubious about finds going back to last summer and I think this reflects a wide view in the US military);
- Your point that our experience in Northern Ireland ... shows that large arms caches can be concealed for years ...”

142. Mr Straw added:

“Yes, we did take military action in order to disarm Iraq of its WMD. But if it turns out that under the pressure of the US/UK military build up, he disarmed himself, so be it.”

143. Mr Straw wrote that he understood that public appreciation of why military action had been taken would be “enhanced” if there were “good finds”:

“But if we carry on saying confidently that the material is there ... and have 1,000 men doing nothing but search for the next six months ... and still nothing is found, what then? Knowing it was there is not the same as knowing it is there.”

144. Mr Straw concluded that, in the absence of significant finds, it would become “all the more important” to demonstrate that post-Saddam Hussein Iraq was a far better place than before. He was “wondering whether the whole US Administration” really appreciated the imperative of “getting the water and power back on” and the hospitals working fully.

145. Mr Straw said that he would call Mr Blair “to discuss all this”.

146. In relation to WMD, Sir David Manning commented to Mr Blair:

“The key is to find people not materiel – who can talk about Saddam’s WMD programmes/aspirations/deceptions.”⁷²

147. During the visit to London on 23 April by Mr José María Aznar, the Prime Minister of Spain, Mr Aznar and Mr Blair spoke to President Bush about progress in Iraq, including plans to provide incentives for information about WMD locations.⁷³ In Mr Blair’s view, the Coalition should present the search for WMD as its third priority, after winning the conflict and humanitarian assistance:

“WMD was not just a US/UK issue: the international community had been searching for twelve years. It would take time.”

148. In his minute to Mr Straw’s Private Office reporting the outcome of the Washington talks on the ISG on 21 and 22 April, Mr Dowse cautioned that a “smoking gun” might not

⁷² [Manuscript comment Manning to Prime Minister on Minute Straw to Prime Minister, 21 April 2003, ‘Iraq: the Search for WMD and the Case for the War’.](#)

⁷³ Letter Cannon to McDonald, 23 April 2003, ‘Iraq: Prime Minister’s Conversation with Bush and Aznar, 23 April’.

be found: Saddam Hussein had “had twelve years to hide the evidence”. Fewer than a dozen of the 146 suspect sites identified as a priority by the Government had been visited.⁷⁴

149. On third-party validation of findings, Mr Dowse reported that the UK delegation to the talks:

“... made the point that what constituted credibility was inevitably going to be subjective – ie what was sufficient for the UK and US Governments might not be enough for the audiences we really need to convince, including the Security Council (and UK media). Like it or not, it was hard to escape the fact that a UN seal of approval would be the most difficult for the critics to dismiss ...

“The Americans did not seriously try to argue the point, but I doubt that we entirely overcame the deep reluctance – particularly in the Pentagon – to contemplate a further role for UNMOVIC.”

150. Mr Straw welcomed Mr Dowse’s advice, stating that it highlighted some of his own key concerns, on which he had already written to Mr Blair.⁷⁵ Mr Straw asked for a copy to be sent to Sir David Manning, and for Mr Dowse to prepare a draft minute to Mr Blair.

151. Mr Straw discussed WMD with Secretary Powell on 24 April.⁷⁶ UNMOVIC was rising up the agenda quickly. The US and UK had argued consistently for UNMOVIC, setting it up in resolution 1284 (1999) and enhancing its role in resolution 1441 (2002). Mr Straw did not see how they could now argue for it to be set aside. It was important to keep the moral high ground.

152. Mr Julian Miller, Chief of the Assessments Staff, sent “lines to take” on Iraq’s WMD, agreed with NPD, to Mr Simon McDonald, Mr Straw’s Principal Private Secretary.⁷⁷ On the question: “Iraqi WMD: Where’s the evidence?”, the points made by Mr Miller included:

- Coalition Forces were actively pursuing the issue but the investigation would not be “a quick process”. Saddam Hussein had had “ample time to conceal his WMD programmes”.
- The process would be “painstaking and detailed: we want to establish the truth beyond any doubt”.
- “Given the emphasis on concealment” it was “hardly surprising that concrete evidence of WMD” had “yet to come to light”.

⁷⁴ [Minute Dowse to Private Secretary \[FCO\], 23 April 2003, ‘Iraq WMD: UK/US Talks, 21-22 April’.](#)

⁷⁵ Minute Owen to Dowse, 28 April 2003, ‘Iraq WMD: UK/US Talks, 21-22 April’.

⁷⁶ Letter McDonald to Manning, 24 April 2003, ‘Foreign Secretary’s Conversation with US Secretary of State, 24 April’.

⁷⁷ [Letter Miller to McDonald, 24 April 2003, ‘Iraq and WMD’ attaching Paper Cabinet Office, ‘Iraqi WMD: Where’s the Evidence?’](#)

- Other judgements had been “borne out, including by UNMOVIC”, for instance:
 - the “illegal programme[s]” to “extend the range of the Al Samoud missile” and “produce even longer range missiles”;
 - concealment of documents at homes of personnel associated with WMD programmes”; and
 - “suspicious programmes to manufacture long range UAVs [unmanned aerial vehicles]”.
- The “testimony of scientists and documentation about WMD development and production programmes” would be “the key”. But witnesses could not be expected to come forward until they were confident they could speak safely.

153. On the issue of a role for UN inspectors, Mr Miller wrote:

“We appreciate the need for credible, independent validation of any discoveries ... UNMOVIC and the IAEA would be an option ...

“As Dr Blix himself has said, the circumstances are not right for the inspectors to return to Iraq at present. If and when they do, their tasks would have changed: the focus would be on monitoring and verification rather than detection. That would call for different skills – some restructuring of the operation would be needed ...”

154. In his monthly press conference on 28 April, Mr Blair stated that “the first priority has got to be to stabilise” Iraq, the second was the humanitarian situation, and:

“... the third – and we can take our time about this and so we should – is to make sure that we investigate the weapons of mass destruction, and we will do that. And as I say every time I am asked, I remain confident that they will be found.”⁷⁸

155. Asked about why Saddam Hussein had not used weapons of mass destruction and whether the UN needed to be involved to verify any finds, Mr Blair made a number of points, including:

- Independent verification needed to be discussed “with the UN and amongst allies”, but he had “no doubt at all that ... some process of independent verification” was needed.
- There wasn’t “any doubt that Iraq has had” WMD.
- Before the return of the inspectors, “there was a six-month campaign of concealment”. That was “borne out by sufficient intelligence” that there was “no doubt” in his mind that was what happened.
- That meant it was “going to be far more difficult for them to reconstitute that material to use”, and “we were giving very strong warnings to commanders in the fields as to what would happen if they did”.

⁷⁸ 10 Downing Street, 28 April 2003, *PM focuses on Iraq and domestic agenda*.

- The Government was “anxious not to start making the claims until we have absolutely bottomed out anything by way of information that comes to us”.

156. In response to a suggestion that WMD had not been as big a threat as he thought, Mr Blair pointed out that Iraq could have reconstituted concealed weapons “had we all left Iraq and the weapons inspectors not being able to carry out their job”. He added that he thought there would be “increasing evidence of links between the previous Iraqi regime and terrorist organisations”.

157. On 2 May, Mr Straw sent Mr Blair further thoughts on what might be found in Iraq. Evidence might take the form of testimony or documents rather than materiel.

158. On the role of UNMOVIC and the IAEA, Mr Straw advised that it would be “odd” if the Coalition refused to co-operate with the weapons inspectors having made that the centrepiece of the case against Saddam Hussein.

159. Mr Straw wrote again to Mr Blair on 2 May reiterating his concerns that the plans for handling the detection and elimination of Iraqi WMD “should not become the foundation on which critics of our military action in Iraq” could “build a new case to attack us”.⁷⁹

160. Mr Straw welcomed the action being taken to impress on commanders in Iraq the importance of the issue and that work was in hand to identify a substantial UK contribution to the ISG. But the timeframe for ISG deployment highlighted the need to manage expectations:

“This is not a matter of suggesting that we may not, in the event, find any evidence of WMD programmes. On the contrary, as you told the media on 28 April, we are confident that we will. But we must keep drumming home three messages:

- we already have substantial evidence: both from before the fighting and what we have discovered since. There is 173 pages of evidence in Blix’s 7 March report. Examples since include the discoveries of large stockpiles of protective suits and atropine: Coalition forces were well known not to possess chemical weapons, so what reason would Iraq have had for such stockpiles other than to protect its forces against its own chemical weapons?
- this will not be a quick process. Saddam has had twelve years to hide the evidence and it is unreasonable to expect us to uncover it in a few weeks. We should be stressing that the process of discovery and validation cannot be rushed: we must be extremely thorough to minimise the risk of false alarms ...
- evidence can take many forms. It may well not be in the form of finished materiel (stockpiles of munitions, barrels of nerve agent etc); it is equally if

⁷⁹ [Minute Straw to Prime Minister, 2 May 2003, ‘Iraq: WMD Detection and Elimination’](#).

not more likely to come in the form of testimony from scientists and other Iraqi personnel, and documentation. That sort of evidence is no less valid.”

161. Mr Straw noted MOD concern that the last point “might be interpreted as moving the goalposts”. It needed “to be deployed with care”, but it was “not new”. It was “why we placed such emphasis on the UN inspectors conducting secure interviews”. In Mr Straw’s view, it carried “more weight than the claim raised in some US newspapers that the Iraqis may have destroyed their WMD in the days immediately prior to the war. For that to carry any credibility at all it would have to be backed with very convincing evidence of such destruction.”

162. Mr Straw recommended that the UK should, more realistically for the medium rather than the short term, continue to try “to change US minds” about credible independent validation of WMD discoveries by UNMOVIC or the IAEA. Dr Blix would “retire from the scene in June” and the task had:

“... now changed, to one essentially of observation and reporting. Coalition forces will do the detective work. But the fact is that the inspectors still carry the most weight with the audiences we need to convince, in the Security Council or the media. It would be odd if the Coalition was now to refuse to co-operate with the weapons inspectors after we made this a centrepiece of our case against Saddam.”

163. Sir David Manning commented to Mr Blair:

“You should be aware. We are pushing the WMD dossier [issue] hard: but J[ack] S[traw]’s points are well taken.”⁸⁰

164. On 1 May, Mr Watkins sent No.10 briefing for Mr Blair’s meeting with Secretary Rumsfeld at Chequers the following day.⁸¹ Mr Watkins suggested that Mr Blair remind Secretary Rumsfeld of the stronger political and presentational pressures in the UK to find verifiable evidence of Iraqi WMD programmes. The US saw no short-term role for UNMOVIC and there was little appetite in the longer term. Mr Watkins proposed that Mr Blair say that: “suitably reconstituted – UN inspectors would confer maximum international credibility to WMD finds.”

165. Mr Matthew Rycroft, Mr Blair’s Private Secretary for Foreign Affairs, commented to Mr Blair: “No way that Rumsfeld will agree this.”⁸²

166. Mr Blair and Mr Hoon met Secretary Rumsfeld at Chequers on 2 May.⁸³ There is no indication in the record of the meeting that WMD was discussed.

⁸⁰ [Manuscript comment Manning to Prime Minister on Minute Straw to Prime Minister, 2 May 2003, ‘Iraq: WMD Detection and Elimination’.](#)

⁸¹ Letter Watkins to Rycroft, 1 May 2003, ‘Meeting with the US Defense Secretary – 2 May 2003’.

⁸² Manuscript comment Rycroft on Letter Watkins to Rycroft, 1 May 2003, ‘Meeting with the US Defense Secretary – 2 May 2003’.

⁸³ Letter Cannon to Watkins, 2 May 2003, ‘Iraq: Prime Minister and Defence Secretary’s Meeting with Rumsfeld, 2 May’.

167. Secretary Rumsfeld and Mr Hoon met again at Heathrow Airport before Secretary Rumsfeld returned to the US.⁸⁴

168. Mr Hoon said that the UK had not seen significant output from the debriefing of high-value individuals and scientists. There could be information emerging that was of operational use and should be shared with commanders on the ground. Secretary Rumsfeld agreed that this was an area that could be improved.

169. Mr Straw raised verification with Mr Richard Armitage, US Deputy Secretary of State, on 6 May.⁸⁵ The key question was: “did the US want UNMOVIC back in?” The issue could not be sidestepped indefinitely. Mr Armitage said that he was not keen.

170. In discussion at the AHMGIR on 8 May, Mr Hoon stated that, given the role WMD had played in the justification for action against Saddam Hussein, it would be important to link any finds back to the pre-conflict evidence.⁸⁶

171. Other points made were that:

- Military action was justified by the continued failure of the Iraqi Government to meet its obligations set out in UN resolutions.
- If the UK Government faced criticism if further WMD were not found, the response should be that Saddam Hussein could have avoided war by, for example, delivering scientists.
- If the Security Council had held together, there might not have been a need for war.

172. Mr Straw concluded that it would be some time before WMD investigation would produce clear results.

173. Mr Straw told Sir David Manning that the absence of any reference to UNMOVIC inspectors in the text of the draft omnibus resolution being discussed on Iraq (see Section 9.1) meant “we were very exposed on the question of why UNMOVIC was not on the bus”.⁸⁷

174. On 8 May 2003, the Intelligence and Security Committee of Parliament (ISC) announced a review into the intelligence and assessments that informed the decision to invade Iraq and whether the intelligence was accurately reflected in Government publications.

175. In its Annual Report for 2002/03, presented to Mr Blair on 8 May 2003, the ISC stated: “It is impossible at the present moment to make any definitive statements about the role of intelligence and the situation in Iraq.” The ISC had been briefed on the issue,

⁸⁴ Minute Williams to Policy Director, [undated], ‘Visit of the US Secretary of Defense – 2 May 2003’.

⁸⁵ Letter Sinclair to Manning, 7 May 2003, ‘Foreign Secretary’s Meeting with US Deputy Secretary of State, 6 May’.

⁸⁶ Minutes, 8 May 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

⁸⁷ Letter Straw to Manning, 7 May 2003, ‘Iraq: Conversations with Colin Powell, 7 May’.

but intended “to examine in more detail the intelligence and assessments available and their use”.⁸⁸

176. Ms Ann Taylor, the Chair of the Committee, wrote to Mr Scarlett on 8 May requesting “JIC Assessments relating to Iraq and its WMD, dating back to August 1990 and supporting intelligence”.⁸⁹

177. In its report, published in September 2003 and addressed later in this Section, the Committee stated that it had “examined all the JIC Assessments produced since the Iraqi invasion of Kuwait 1990”. The Committee had also “looked at the supporting intelligence in critical areas to ensure that the assessments reflected the intelligence correctly”.⁹⁰

178. The discovery on 24 April of a trailer thought to be a possible mobile BW facility attracted considerable media interest in the UK and US.

179. On 9 May, Sir David Manning advised Mr Blair that, despite the obstacles, the initial prospects for finding evidence of Saddam Hussein’s WMD programmes were “reasonably promising”.

180. The discovery of a suspect trailer on 24 April is addressed in the Box ‘The investigation of possible mobile production facilities for biological agent’.

181. At the JIC meeting on 30 April, Sir Richard Dearlove “suggested that there would need to be very careful handling of the emerging information on WMD in Iraq”. The JIC “might find it useful to have a special meeting to discuss this in due course”.⁹¹

182. On 9 May, SIS4 sent Sir David Manning a briefing note for Mr Blair on “the current status of efforts in Iraq to produce evidence of Saddam’s WMD programmes”.⁹²

183. The covering letter reiterated the obstacles confronting those efforts, including the poor security situation, the apparent disconnect between US organisations in Iraq, the limited circle of knowledge about WMD locations and deployments, and the sheer volume of potential sensitive sites. It was, however, a critical priority to find convincing evidence of past WMD programmes before the deployment of the ISG.

184. The letter described the suspect BW trailer as “an encouraging find” that would be reinforced through exploitation of other related leads in co-operation with other Coalition officials, but one that did, however, “illustrate the difficulties of co-ordinating press lines

⁸⁸ Intelligence and Security Committee, September 2003, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Cm5972, paragraph 10.

⁸⁹ Intelligence and Security Committee, September 2003, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Cm5972, paragraph 12.

⁹⁰ Intelligence and Security Committee, September 2003, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Cm5972, paragraph 16.

⁹¹ Minutes, 30 April 2003, JIC meeting.

⁹² Letter SIS4 to Manning, 9 May 2003, ‘WMD in Iraq’.

... with the US". The letter recommended that Sir David Manning raise the issue with his US interlocutors during his imminent visit to Washington.

185. The briefing note attached to the letter confirmed that SIS would be sending more staff to Iraq to help the US effort on the ground, including debriefing centres. The likely timescales for successful exploitation of sites was not to be underestimated:

“UNMOVIC allowed an average of two hours per facility, and found virtually nothing. It had taken over two weeks to exploit and verify a single find, the mobile laboratory. There were hundreds of known sites to exploit ...”

186. The note also addressed the suspect trailer and provided an update on investigations into CW munitions and production which had yet to produce concrete evidence.

187. Sir David Manning passed the briefing note to Mr Blair, describing it as “An update on the problems and the (reasonably promising) prospects.”⁹³

The investigation of possible mobile production facilities for biological agent

On 3 May, Lieutenant General Andrew Ridgway, Chief of Defence Intelligence (CDI) informed Mr Hoon's Private Office that the Defence Intelligence Staff (DIS) assessed that a “trailer recovered north of Mosul on 24 April could be used as a component of a transportable BW facility”.⁹⁴

Lt Gen Ridgway wrote that:

- “The trailer has a vessel with a capacity of over 100 litres of agent. It is assessed that [...]”
- “The discovery of the trailer is highly significant ... It is a gun, but not a smoking gun.”
- Some details had already appeared in the US media, but “their full significance has yet to emerge”.

Mr Hoon was invited to agree that:

- the exploitation of the trailer was urgent and should be co-ordinated between the US and UK;
- the US should be asked to agree to Dr Blix being briefed and to consider the evidence being examined by an independent third party; and
- the discovery and likely role of the trailer should not be publicised until the US and UK had agreed a common position.

⁹³ Manuscript comment Manning to Prime Minister, 11 May 2003, on Letter SIS4 to Manning, 9 May 2003, ‘WMD in Iraq’.

⁹⁴ Minute Ridgway to PS/SofS [MOD], 3 May 2003, ‘Iraq: Probable Transportable BW Production Trailer’.

A paper prepared by the MOD on 3 May, for the Ad Hoc Ministerial Group on Iraq Rehabilitation (AHMGIR) on 8 May, stated that the “most promising find so far is of a HGV [heavy goods vehicle] trailer” near Irbil where an “initial assessment” closely matched “earlier descriptions (from intelligence) of a vehicle that supported mobile BW agent production”.⁹⁵

The discovery of a “BW factory” was discussed in Mr Blair’s conversation with President Bush on 7 May.⁹⁶

The British Embassy Washington reported overnight on 7/8 May that the US had used a general briefing on Iraqi WMD by Mr Cambone to address growing press speculation about the discovery of the suspected mobile BW laboratory.⁹⁷

Mr Cambone had emphasised the scale and complexity of the task facing the Coalition in uncovering and destroying Iraq’s WMD, and explained that the resources deployed would be “substantially enhanced” with the arrival of the ISG.

Mr Cambone said that the mobile laboratory was “very similar” to that which had been described in Secretary Powell’s presentation to the Security Council on 5 February 2003, and that, while some of the equipment on the trailer could have been used for purposes other than BW production, “US and UK technical experts have concluded that the unit does not appear to perform any function beyond what the defector said it was for, which was the production of biological agents”.

Asked whether the trailer represented the smoking gun, Mr Cambone had stated that he was sure that, as time went by, Iraq’s WMD programmes would be found to have been as extensive as described to the Security Council by Secretary Powell in February 2003.

The Embassy added that it had raised the need for independent third-party verification of the find with the National Security Council (NSC) earlier in the day. Although that suggestion had been rejected on the grounds that it was highly unlikely that samples worth verifying would be found in a trailer that had been scrubbed clean, the principle of third-party verification, once samples had been found, was recognised as “a good one”.

The SIS letter of 9 May described the suspect BW trailer as “an encouraging find” that would be reinforced through exploitation of other related leads in co-operation with other Coalition officials.⁹⁸

The briefing note attached to the letter stated that the suspect BW trailer “remained the most significant find to date” and had received some media attention. There were differing views on the function of the trailer, however, it was believed to be part of a transportable production system (TPS). SIS would be contributing to the Coalition efforts to investigate the trailer’s provenance, with the aim of obtaining “a high-level view of how it related to other parts of the BW programme”. There was speculation about whether anthrax was the original intended product. Further debriefing and computer exploitation were ongoing.

⁹⁵ [Annotated Agenda, 7 May 2003, Ad Hoc Ministerial Group on Iraq Rehabilitation meeting attaching Paper MOD, 3 May 2003, ‘Annex E: WMD and the Work of the Iraq Survey Group’.](#)

⁹⁶ Letter Cannon to McDonald, 7 May 2003, ‘US Foreign Policy Issues: Prime Minister’s conversation with Bush, 7 May’.

⁹⁷ Telegram 615 Washington to FCO London, 8 May 2003, ‘Iraq: WMD’.

⁹⁸ Letter SIS4 to Manning, 9 May 2003, ‘WMD in Iraq’.

On 13 May, Mr Scarlett informed Mr Powell that a “second possible mobile BW trailer” had been found in Northern Iraq on 9 May; and that imagery indicated “a third suspicious trailer in the Mosul area”.⁹⁹ Mr Scarlett wrote:

“It is not yet clear whether we will be able to prove that these trailers were used for BW agent production ... But our assessment is that the first trailer at least (and probably the second) were capable of producing micro-organisms as part of a biological process ... It is not impossible that they are capable of producing a crude (liquid) form of agent ...”

“A great deal of thought has been given to other possible applications for these trailers. So far none has been identified ...”

Mr Scarlett added that “our experts” had ruled out the possibility that the first trailer might have been part of a mobile pesticide unit.

Mr Scarlett concluded:

“These are significant finds. There is a serious chance (I should not put it more strongly) that the trailers form part of the covert production facilities for which we have been looking. Whatever their function ... [they] should have been declared under ... [resolution] 1441. At the right moment, and once we have reached the firmest judgement possible ... it will be necessary to explain their significance ...”

Mr Blair commented:

“This is good + we should keep a careful note of all we are finding. How are the interviews going?”¹⁰⁰

Mr Scarlett also provided a more detailed note produced by the DIS and a minute addressing claims made on *NBC News*, which could not be substantiated and appeared to be based on the views of Dr David Kay. Dr Kay was described as “formerly nuclear Chief Weapons Inspector for IAEA”.

On 15 May, an official in the FCO Non-Proliferation Department (NPD) advised Mr Tim Dowse, Head of NPD, that Dr David Kelly, MOD Special Adviser Counter-proliferation and Arms Control, had advised that UNMOVIC experts were leaning towards the view that the mobile laboratory was not a bio-weapons lab.¹⁰¹ The FCO official was concerned about the implications of Dr Blix casting doubt on the UK’s analysis.

SIS stated on 16 May that the most important piece of evidence found so far was “the various BW trailers, which we are now firmly of the view are part of the transportable production system (TPS) for BW agent”.¹⁰²

⁹⁹ [Minute Scarlett to Powell, 13 May 2003, ‘Iraq: Second Possible Mobile BW Trailer’ attaching Note DIS, 12 May 2003, ‘Iraq: Second Possible Mobile BW Trailer’ and Minute Cabinet Office \[junior official\] to Scarlett, 12 May 2003, ‘Second Mobile Trailer: The NBC News Report’.](#)

¹⁰⁰ [Manuscript comment Blair on Minute Scarlett to Powell, 13 May 2003, ‘Iraq: Second Possible Mobile BW Trailer’.](#)

¹⁰¹ Minute NPD [junior official] to Dowse, 15 May 2003, ‘Iraq Survey Group: MOD Task Force Meeting, 15 May’.

¹⁰² Letter PS/C to McDonald, 16 May 2003, ‘Iraqi WMD’.

On 1 June, Mr Scarlett informed Sir David Manning that a US inter-agency team with one UK representative continued to assess that the BW trailers “almost certainly” formed “part of the mobile BW production facilities identified in [pre-invasion] intelligence”.¹⁰³ The experts could not think of “any other credible explanation”. That was also “the firm view” which had been reported on the US Defense Intelligence Agency website.

Mr Scarlett added that a preliminary draft of the team’s report had stated that the trailers, as presently configured, could not be used as a biological production system. That report had been withdrawn. Mr Scarlett commented: “It really does seem that it has no status. Confusing nonetheless.”

Mr Scarlett concluded that there would be a further assessment of Iraq’s BW capabilities, but a formal assessment could and should be issued only when “we feel confident that we have enough data”.

Subsequent assessments of the purpose of the trailers are set out later in this Section.

188. On 15 May, an official in NPD advised Mr Dowse that:

- Iraq’s two most senior BW scientists were denying knowledge of recent Iraqi WMD programmes.
- The head of Iraq’s National Monitoring Directorate was claiming that all SCUD missiles had been destroyed between 1991 and 1993.
- There was “considerable frustration” about the absence of UK involvement in the US interviews of scientists.¹⁰⁴

189. On 16 May, SIS informed the FCO that information emerging from interviews with individuals prepared to discuss WMD confirmed some of the original judgements about Iraq’s programmes.

190. SIS advised that it was not in the Government’s interest to allow media reports that there was no evidence to justify pre-conflict claims to become received wisdom.

191. On 16 May, Sir Richard Dearlove’s Private Secretary sent Mr McDonald an update on progress and ideas for changing public perceptions of Iraq’s WMD programmes.¹⁰⁵

192. The letter stated that the “poor security situation, apparent disconnect between parts of the US system (and thus with UK agencies)” and problems flying in and out of Baghdad were slowing down the effort, but SIS officers in Iraq were “fully switched on to the task”.

¹⁰³ [Minute Scarlett to Manning, 1 June 2003, ‘BW Trailers’.](#)

¹⁰⁴ Minute NPD [junior official] to Dowse, 15 May 2003, ‘Iraq Survey Group: MOD Task Force Meeting, 15 May’.

¹⁰⁵ Letter PS/C to McDonald, 16 May 2003, ‘Iraqi WMD’.

193. On the search for evidence, the letter stated:

“People who are prepared to discuss WMD are gradually emerging to provide information. Most have only small pieces of the jigsaw, but these do confirm some of the original judgements: continued CW production until mid-late 2002; replacement of the large, static BW programme with a covert, transportable capacity; a massive effort in the months before the conflict to break up and conceal much of the WMD (which may thus have been inaccessible when the conflict began); the start of work to develop extended range missiles, beyond UN-sanctioned limits; and the highly restricted circle of those really in the know. Further interviewing of senior detainees is likely to deliver more insights ...”

194. SIS assessed that the most important piece of evidence found so far was “the various BW trailers, which we are now firmly of the view are part of the transportable production system (TPS) for BW agent”. New information was also emerging on Iraq’s CW and missile programmes.

195. The letter stated that, despite the emergence of new information, the UK and international media continued to report that there was no evidence to justify the claims made by the UK and the US before the war. It was not in the interests of the Government or SIS to allow that to become received wisdom. SIS was working on a media strategy with the FCO, the MOD and others to address those points.

196. SIS also reported that *BBC Television’s Panorama* planned to make a programme on Iraqi WMD for broadcast later that year. SIS suggested that the Government provide assistance to the programme-maker while taking care not to hijack the programme. The onus would still be on the programme-maker to seek independent expert advice. SIS advised that there was a greater risk in the programme being made without the Government’s help, and that the programme-maker “might take at face value the denials of senior detainees and be without the technical knowledge and guidance we can offer”.

197. A copy of the SIS letter was shown to Mr Blair by Sir David Manning, with the comment: “Evidence beginning to build. Suggestions here too for media – that need to be reviewed with Alastair [Campbell]”.¹⁰⁶

198. Mr Blair replied to Sir David Manning: “A[lastair] C[ampbell] to speak to me about this.”¹⁰⁷ Mr Blair described as “vital” the letter’s assessment of evidence emerging to support pre-invasion judgements.

199. Sir David Manning sent Mr Blair’s comment to Sir Richard Dearlove’s Private Office “To note”.¹⁰⁸

¹⁰⁶ Manuscript comment Manning on Letter PS/C to McDonald, 16 May 2003, ‘Iraqi WMD’.

¹⁰⁷ Manuscript comment Blair on Letter PS/C to McDonald, 16 May 2003, ‘Iraqi WMD’.

¹⁰⁸ Manuscript comment Manning on Letter PS/C to McDonald, 16 May 2003, ‘Iraqi WMD’.

200. Mr McDonald replied to the letter from Sir Richard Dearlove’s Private Office about progress in uncovering hard evidence of prohibited Iraqi weapons programmes on 2 June.¹⁰⁹ He agreed:

“... that we have pro-actively to confront some of the negative media about the lack of Iraqi WMD, and work to ensure that some of the evidence that is coming to light finds its way into the public domain. Or, as you say, the media will remain camped on the position of No evidence, No justification. In the absence of independent validation of Coalition WMD finds, the media are playing a crucial role in setting public opinion. Having an effective media strategy, agreed interdepartmentally, will help address this ...”

201. Mr McDonald added:

“The idea of working with the *BBC Panorama* programme ... seems an excellent way to take the strategy forward in the short term. Providing background briefing and unobtrusively helping point the programme makers in the right direction [...] should help to bring to light some of the hard evidence that is being uncovered. It will be important to ensure that *Panorama* maintains its overall independence ... However, we should not regard this as an exclusive ... [W]e should work with a range of journalists to ensure that the message comes across clearly and coherently.”

202. Resolution 1483 was adopted on 22 May 2003.¹¹⁰ Its provisions relating to Iraq’s continued obligation to disarm, the US and UK activities in that regard and the future of UNMOVIC and the IAEA’s mandates, are set out in the Box ‘Resolution 1483: WMD provisions’. The wider purpose and provisions of the resolution are addressed in Section 9.1.

Resolution 1483: WMD provisions

In resolution 1483, the Security Council:

- reaffirmed “the importance of the disarmament of Iraqi weapons of mass destruction and of eventual confirmation of the disarmament of Iraq”;
- determined that “the situation in Iraq, although improved, continues to constitute a threat to international peace and security”.

In operative paragraph 11 of the resolution, the Security Council:

- reaffirmed “that Iraq must meet its disarmament obligations”;
- encouraged the UK and US “to keep the Council informed of their activities in this regard”; and
- underlined “the intention of the Council to revisit the mandates” of UNMOVIC and the IAEA “as set forth in resolution 687 (1991) ... 1284 (1999) and 1441 (2002)”.

¹⁰⁹ [Letter McDonald to PS/C, 2 June 2003, ‘Iraqi WMD’](#).

¹¹⁰ UN Security Council Resolution 1483 (2003).

203. Speaking after the adoption of the resolution, Sir Jeremy Greenstock stated that the resolution “did not seek to resolve every issue”; and that the functions of UNMOVIC and the IAEA “as they relate to the complete disarmament of Iraq under previous resolutions” would need to be taken up “in due course”.¹¹¹

204. Sir Jeremy added that the UK:

“... continues to see a role for both bodies in the eventual confirmation of disarmament and perhaps, if the Council agrees, in the longer term monitoring and verification.”

205. On 23 May, Mr Howard sent Mr Hoon’s Private Office an update on plans for the ISG and a draft letter to No.10.¹¹²

206. Mr Howard reported that there was “considerable media interest” in the efforts to find WMD and there had been “numerous PQs [Parliamentary Questions] on this and the functioning of the ISG”.

207. Mr Howard added that there was:

“... growing pressure for the Government to provide an assessment of how the WMD findings match the statements made in their September 2002 Dossier and No.10 have made accommodating statements on this: the US are understood to be undertaking their own ‘post-mortem’ exercise in this area. There have been problems that US briefings ... are not properly cleared with us ...”

208. Mr Howard stated that there was a need for urgent work to develop a coherent PR strategy for the ISG work and that he would provide further advice.

209. Mr Watkins wrote to Sir David Manning on 27 May reporting that work on SSE continued and would be enhanced by the ISG, but the timelines for establishing the ISG were “still fluid”.¹¹³

210. Mr Watkins explained:

“At present, Coalition Forces are working from a list of over 500 sites potentially linked to the development, production and storage of WMD, overwhelming[ly] concentrated in the US area of operations. As at 22 May, Coalition forces had initiated investigations into 122 of these sites, plus a further 55 sites identified since the conflict began. The most promising finds so far relate to mobile facilities. The Cabinet Office is receiving daily updates from the DIS ROCKINGHAM cell on all SSE activities.”

¹¹¹ UN Security Council, ‘4761st Meeting, 22 May 2003’, S/PV.4761.

¹¹² Minute DCDI to PS/Secretary of State [MOD], 23 May 2003, ‘Iraq: The Search for WMD’.

¹¹³ [Letter Watkins to Manning, 27 May 2003, ‘Iraq WMD: Update’.](#)

211. Mr Watkins reported that the US was planning to expand and better co-ordinate the existing Coalition effort by bringing together current WMD and other post-conflict activities under the ISG. The draft mission for the ISG was to:

“Organise, direct and apply capabilities and expertise in Iraq to discover, take custody of, exploit, disseminate and disable, eliminate information and material on individuals, records, NBC samples, weapons systems, materials, facilities, networks, and operations relative to:

- Terrorism
- Iraqi intelligence
- WMD (Main Effort)
- Individuals associated with the Iraqi regime/leadership with WMD
- Individuals detained by the Iraqi regime
- War crimes and crimes against humanity.”

212. Mr Watkins reported that the UK would be providing the Deputy Commander, Brigadier John Deverell, who would “be running all ISG operations, with Maj Gen Dayton addressing external and higher level ISG issues”. The UK would:

“... also assign to the ISG the UK WMD related units already in theatre or about to arrive, including:

The DIS Battlefield Intelligence Recovery Team

The Joint Forces Interrogation Team

7630 (HUMINT) Sqn RauxAF [Royal Auxiliary Air Force]

A Document Exploitation Team.

“We are also investigating the most effective use of the joint NBC Regiment and other assets in theatre ... DIS liaison staff in Washington will be reinforced to support ISG work, with a view to providing a UK presence in the ISG Fusion Cell in Washington. The DIS is also providing individual reinforcements to ISG in theatre.

“We are also actively recruiting a cadre of UK ex-UNSCOM and ex-UNMOVIC inspectors, and others ...”

213. Mr Watkins wrote that the UK needed to keep up the pressure on the US to ensure WMD detection received the attention it deserved. There also needed to be more work on public handling. There had been problems with US briefings in theatre and in Washington not being properly cleared with the UK. The UK had taken steps to ensure co-ordination was as good as possible. There was also a more general need for Whitehall to develop a “coherent and proactive PR strategy” for the ISG’s work.

214. Sir David Manning commented to Mr Blair: “US has been very slow to get the Iraq Survey Group up + running – one reason for the PR difficulties – along with Rumsfeld.”¹¹⁴

215. The ISG was launched on 30 May.¹¹⁵

216. On 4 June, officials advised that the ISG was expected to achieve an initial operating capability about 10 days later.¹¹⁶

217. Under an arrangement negotiated between the DoD and the CIA, the ISG was initially placed under US military command.

218. The UK planned to provide 100-120 personnel, including some former UNSCOM inspectors.¹¹⁷

219. In a background note for Mr Blair on the difference between the ISG and XTF-75, Mr Nicholas Cannon, Mr Blair’s Assistant Private Secretary for Foreign Affairs, described XTF-75 as “a slightly mechanical exercise, carried out by the military, and based on a fixed body of information”.¹¹⁸ The ISG was intended to be “a more flexible, intelligence-driven organisation”, which would generate its own intelligence, including through interrogations, and have its own analysis capacity. The ISG would include former UNMOVIC inspectors, would target individuals as well as sites, and would have 1,300-1,400 personnel compared with 750-800 in XTF-75.

220. General Sir Michael Walker, Chief of the Defence Staff, issued an addition to the 18 March Execute Directive for Op TELIC on 18 June. The Directive instructed Lt Gen Reith to provide air transport for the movement of small teams of ISG personnel between Iraq and Qatar as “a high priority”.¹¹⁹ The arrangement was to be kept under monthly review.

221. A revised Directive incorporating additional guidance, issued on 30 July, is described in the Box ‘Revised Directive on UK military co-operation with the ISG’ later in this Section.

222. The ISG became “fully operational” in early August.¹²⁰

¹¹⁴ [Manuscript comment Manning to Prime Minister, 29 May 2003, on letter Watkins to Manning, 27 May 2003, ‘Iraq WMD: Update’.](#)

¹¹⁵ [Letter McDonald to Rycroft, 2 June 2003, ‘Iraqi WMD: Third Party Validation’.](#)

¹¹⁶ Letter Watkins to Manning, 4 June 2003, ‘Iraq: WMD Detection and Elimination: Public Handling’.

¹¹⁷ [Letter McDonald to Rycroft, 2 June 2003, ‘Iraqi WMD: Third Party Validation’.](#)

¹¹⁸ Minute Cannon to Prime Minister, 3 June 2003, ‘Iraq: Iraq Survey Group and 75th Exploitation Task Force’.

¹¹⁹ [Paper MOD, 18 June 2003, ‘Chief of the Defence Staff Execute Directive to the Joint Commander Operation TELIC Edition 2 Frago 02’.](#)

¹²⁰ Minute Scarlett to Cannon, 8 August 2003, ‘Iraq WMD’.

Pressure to set up an independent inquiry on pre-conflict intelligence

223. In late May, UK and US media comment on the implications of the failure to find WMD intensified.

224. On 29 May, the *BBC* broadcast allegations by the journalist Mr Andrew Gilligan that the September 2002 intelligence dossier had been “sexed up”.

225. On 27 May, after delivering a speech on Iraq to the US Council on Foreign Relations, Secretary Rumsfeld was asked why Iraqi forces had not used chemical weapons during the invasion.¹²¹ He speculated that one reason might have been that it had been decided to destroy the weapons before the conflict. More information would emerge as people were interrogated and there were still hundreds of suspect sites that had not been investigated. Secretary Rumsfeld concluded: “It will take time”.

226. An interview with Mr Paul Wolfowitz, US Deputy Secretary of Defense, published in *Vanity Fair* magazine in late May, was widely reported to have suggested that the US had settled on WMD as the justification for the invasion of Iraq for “bureaucratic reasons” and as the only issue that all parts of the Administration could agree on given the disputes over whether there was a link between the Iraq regime and terrorists.¹²²

227. On 31 May, the DoD challenged *Vanity Fair*’s account of Mr Wolfowitz’s comments.¹²³ It explained that the full transcript showed that Mr Wolfowitz had gone on to say that WMD had always been one of “three fundamental concerns”, including support for terrorism and Saddam Hussein’s criminal treatment of the Iraqi people.¹²⁴

228. On 29 May, the *Today* programme on *BBC Radio 4* broadcast allegations by the journalist Mr Andrew Gilligan that No.10 had called for the September 2002 intelligence dossier to be “sexed up”.¹²⁵

229. Mr Alastair Campbell, Mr Blair’s Director of Communications and Strategy, wrote in his diaries on 30 May that the “WMD firestorm was getting worse” and that Mr Blair was “a bit jumpy” about the September dossier.¹²⁶ Mr Campbell wrote that he had spoken to Mr Miller and Mr Scarlett. Mr Scarlett had said that he was:

¹²¹ US Department of Defense, 27 May 2003, *Council on Foreign Relations (Transcript): Remarks as Delivered by Secretary of Defense Donald H Rumsfeld, New York, NY, Tuesday May 27, 2003*.

¹²² *BBC News*, 29 May 2003, *WMD emphasis was ‘bureaucratic’*.

¹²³ *CNN International*, 31 May 2003, *Pentagon challenges Vanity Fair Report*.

¹²⁴ US Department of Defense, 9 May 2003, *Deputy Secretary Wolfowitz interview with Sam Tannenhaus, Vanity Fair*.

¹²⁵ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247, paragraph 32.

¹²⁶ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

“... emphatic in saying to people that it was not true that we pressured them ... But he stopped short of agreeing to do a letter about it. He was very much up for helping us but only so far.”

230. On 1 June, *The Mail on Sunday* published an article in which Mr Gilligan wrote that his source attributed the “exaggeration” in the September dossier to Mr Campbell.¹²⁷

231. Mr Campbell wrote in his diaries that he had discussed the article with Mr Scarlett on 1 June, who was “minded to set out everything in a note to Ministers which they could draw on”.¹²⁸

232. On 2 June, Mr Campbell wrote:

“... WMD still raging ... T[ony] B[lair] was still in ‘it’s ridiculous’ mode ... The main problem of course was that there were no WMD discoveries beyond the two [mobile] labs, and no matter how much we said there were other priorities now, the public were being told as a matter of fact we had done wrong.”

233. Mr Rycroft sent Mr Blair a series of background papers on 3 June.¹²⁹ The papers comprised:

- an FCO note on plans for third-party verification;¹³⁰
- a telegram on US attitudes from the British Embassy Washington;¹³¹
- a short No.10 note attaching a factual MOD description of the role and composition of the ISG;¹³²
- the transcript of a request by the Labour MP Mr Graham Allen for Parliament to set a deadline of 110 days for the Coalition to find WMD in Iraq, matching the 110 days given to Dr Blix before the conflict, and for there to be an independent inquiry if no internationally verified discovery had been made by then;¹³³ and
- a paper by the FCO on the terms of reference, proceedings and conclusions of the Franks Inquiry after the Falklands War, which published its report in January 1983.¹³⁴

¹²⁷ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G.* by Lord Hutton, 28 January 2004, HC 247, paragraphs 38-39.

¹²⁸ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq.* Hutchinson, 2012.

¹²⁹ [Minute Rycroft to Prime Minister, 3 June 2003, ‘Iraq: WMD’.](#)

¹³⁰ [Letter McDonald to Rycroft, 2 June 2003, ‘Iraq WMD: Third Party Validation’ attaching Paper \[unattributed\], \[undated\], ‘UNMOVIC: Restructuring’.](#)

¹³¹ Telegram 772 Washington to FCO London, 3 June 2003, ‘Iraqi WMD: US Views’.

¹³² Minute Cannon to Prime Minister, 2 June 2003, ‘Iraq: Deployment of Iraq Survey Group’.

¹³³ [Email Sumner to Rycroft, 2 June 2003, ‘PA-WMD/Special Advisers’.](#)

¹³⁴ [Letter Owen to Cannon, 3 June 2003, ‘Background on The Franks Report, 1983’ attaching Paper \[unattributed\], ‘Falkland Islands Review \(“The Franks Report”\)’.](#)

234. In its advice on UK plans for third-party verification, the FCO stated that the media would “provide some independent witnesses for finds in Iraq” but, “without independent validation”, the Coalition might “well be accused of planting evidence”.¹³⁵ UN validation, ideally by UNMOVIC inspectors, would carry the most weight where it really mattered to the UK, in the Security Council and with UK media. Ideally, the UK would like to give UNMOVIC inspectors access to any relevant finds. At the least, the Coalition should undertake to provide a full report of its investigation to the UN, including any test results.

235. The FCO added that the US remained “neuralgic” on UNMOVIC. Officials were seeking to engage with the US to revitalise and reform UNMOVIC when Dr Blix’s contract expired on 25 June. US officials had not yet replied to a UK paper on restructuring UNMOVIC passed to them on 20 May. The US had, however, agreed that IAEA experts could check the security of a store of radioactive material.

236. The FCO was examining other options for independent validation, including using a laboratory in the Netherlands to test CBW samples, but the Dutch wanted UN cover for doing so.

237. Mr Rycroft commented to Mr Blair that UNMOVIC would be the most credible option for verification, but the US would “not permit that, at least not without a new leadership/mandate/organisation”.¹³⁶

238. The British Embassy Washington reported that comments from US media and prominent Senators were largely sympathetic to the US Government.¹³⁷ Most had argued that it was too early to draw conclusions, but some were calling for an independent inquiry into US intelligence on Iraqi WMD.

239. The Embassy also reported that the Chairmen of the Senate Armed Services and Intelligence Committees had agreed to conduct a joint inquiry into the pre-conflict use of intelligence by the US Administration. In addition, the White House was “crafting a line” on whether there should be an independent inquiry. The Embassy had “strongly encouraged” that it should be discussed in advance with the UK.

240. Mr Rycroft reported to Mr Blair that the two US Committees were “part of the normal Congressional oversight of the Administration”.¹³⁸ The first hearing would be later in June.

241. Mr Rycroft also told Mr Blair that:

“... according to the press, the CIA will provide shortly to Congress the ‘underlying intelligence which was the basis’ for [Secretary] Powell’s UN

¹³⁵ [Letter McDonald to Rycroft, 2 June 2003, ‘Iraq WMD: Third Party Validation’ attaching Paper \[unattributed\], \[undated\], ‘UNMOVIC: Restructuring’.](#)

¹³⁶ [Minute Rycroft to Prime Minister, 3 June 2003, ‘Iraq: WMD’.](#)

¹³⁷ Telegram 772 Washington to FCO London, 3 June 2003, ‘Iraqi WMD: US Views’.

¹³⁸ [Minute Rycroft to Prime Minister, 3 June 2003, ‘Iraq: WMD’.](#)

presentation [on 5 February 2003]. This is in response to a request from the House [of Representatives] Intelligence Committee. Congressional Committees do not normally have access to raw intelligence, but they have done occasionally in the past: [...]"

242. Mr Campbell recorded in his diaries that he had spoken to Mr Powell on 3 June and:

"... agreed a way forward was for the ISC to trail an inquiry before T[ony] B[lair] formally announced it and John S[carlett] to make clear nothing improper took place."¹³⁹

243. Mr Campbell also sent Mr Blair a note advising that Parliamentary debates on Iraq on 4 June were :

"... about both the substance of the issue and the manner in which you deal with it. The overall aim must be to give explanation and context, calm the frenzy, and regain support for our basic position ..."¹⁴⁰

244. In relation to the substance, Mr Campbell wrote:

"... the current frenzy flows from the fact that apart from the two mobile labs nothing new has been found ... so tomorrow is in part about saying as much as you can about the process towards discovery ... The fact there are other more pressing issues – security, humanitarian, basic services – is relevant ...

"What reasonable MPs will want is a signal that you understand the nature of the concern. We've had a week essentially of saying people are being ridiculous ... but it won't go away ... [A]s WMD was the stated reason for war, people want to know the full story, and that you set out the process as to how they're going to get it."

245. Mr Campbell added:

"The second issue relates to the intelligence services, and in particular the false charge that we wrongly used intelligence material, or asked the Agencies to do something they should not have, or that they were not happy with ... [T]he media, particularly the *BBC*, are trying to create a 'no smoke without fire' atmosphere."

246. Mr Campbell wrote that the views of Mr Scarlett and others "that nothing improper took place – should be made public forcefully". He recommended Mr Blair:

"... say that, in the light of the controversy, you asked the JIC to set out for you a detailed analysis of the dossier from inception to publication, and as result not only you, but more importantly the JIC, are 100 percent clear that nothing wrong took place."

¹³⁹ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

¹⁴⁰ Minute Campbell to Prime Minister, 3 June 2003, 'WMD/Tomorrow'.

247. The dossier had been:

“... drafted and redrafted by the JIC ... in consultation with Allies. It was presented to No.10 as a JIC document and remains so. Obviously there were discussions with No.10, not least because you were writing a foreword and you were going to be presenting it to Parliament. But these discussions related primarily to your frontpiece printing, briefing materials, preparation of Q&A, in other words the normal stuff of presentation.”

248. Mr Campbell stated that that part of the response would give Mr Blair:

- acceptance of genuine concern
- process, with a sense of timescale, months not days
- confidence they’ll be found because of historical reality and the labs
- JIC assurance nothing wrong took place
- confirmation of the ISC inquiry
- statement of confidence in Agencies
- reasons for no need for other inquiry.”

249. The House of Commons Foreign Affairs Committee (FAC) announced on 3 June that it would hold an inquiry into “The Decision to go to War in Iraq”.¹⁴¹ The FAC stated:

“The inquiry will consider whether the Foreign and Commonwealth Office, within the Government as a whole, presented accurate and complete information to Parliament in the period leading up to military action in Iraq, particularly in relation to Iraq’s weapons of mass destruction. The Committee will hear oral evidence from several witnesses in June and will report to the House in July.”

250. On 4 June, Mr Scarlett sent Mr Blair a written explanation of the process behind the compilation of the September dossier.¹⁴² The letter, described in greater detail in Section 4.2, concluded:

“At no stage in the drafting process ... was there an attempt, from No.10 or elsewhere, to overrule the judgements of the JIC or my judgement as the person in charge.”

251. Mr Blair discussed the position he would take at Prime Minister’s Questions (PMQs) in a meeting on 4 June with Sir David Omand (Cabinet Office Permanent Secretary and Security and Intelligence Co-ordinator), Mr Scarlett, Sir Richard Dearlove and No.10 officials.¹⁴³

¹⁴¹ Foreign Affairs Committee Session 2002-2003, 3 June 2003, *Announcement of New Inquiry*.

¹⁴² [Minute Scarlett to Prime Minister, 4 June 2003, ‘September 2002 Iraq Dossier’](#).

¹⁴³ Campbell A & Hagerty B. *The Alastair Campbell Diaries. Volume 4. The Burden of Power: Countdown to Iraq*. Hutchinson, 2012.

House of Commons debates on Iraq, 4 June 2003

252. The House of Commons held two debates on Iraq on 4 June.

253. During the second debate, the House of Commons rejected an Opposition motion calling for an independent inquiry into the use of intelligence.

254. Iraq was also raised during PMQs and in response to Mr Blair's statement about the G8 summit in Evian, France, from 1 to 3 June.

255. During the exchanges on Iraq on 4 June, MPs raised repeatedly:

- the failure to find WMD in Iraq;
- statements made by the Government before the conflict about the intelligence on Iraq's capabilities and intent; and
- the need for an independent, judge-led, inquiry.

256. Mr Blair told the House of Commons that:

- It was "accepted" by the international community and the Security Council that Saddam Hussein had possessed WMD and had been "a threat to the world".
- He welcomed the ISC inquiry into the role of intelligence in Iraq.
- There had been no attempt at any time to override "the intelligence judgements" of the JIC.
- The ISG had "just gone into Iraq" and "should be allowed to get on with its job".
- He had "no doubt" that the ISG would find "the clearest evidence" of Saddam Hussein's WMD.
- The alternative thesis, that Saddam Hussein had decided to get rid of the WMD, was difficult to accept.

257. In the first House of Commons debate on Iraq on 4 June, Ms Joan Ruddock (Labour) and Dr Jenny Tonge (Liberal Democrat) called for the urgent return of UN inspectors. Dr Tonge expressed concern about the danger of WMD, if it existed, being found and used.¹⁴⁴

258. During PMQs Mr Blair was asked a series of questions about Iraq.¹⁴⁵

¹⁴⁴ House of Commons, *Official Report*, 4 June 2003, columns 76WH and 84WH.

¹⁴⁵ House of Commons, *Official Report*, 4 June 2003, columns 146-156.

259. In response to a question from Ms Oona King (Labour) about the “strong presumption” of the UN inspectors that Saddam Hussein had not destroyed biological and chemical agents and his view of the allegations that the threat had been exaggerated, Mr Blair replied:

“... that it was accepted by the entire international community, and not least by the UN Security Council, that Saddam Hussein did indeed have weapons of mass destruction and was a threat to the world ... [T]he Iraq Survey Group ... is literally now just beginning its work, because the priority after the conflict was to rebuild Iraq and to make sure that the humanitarian concerns of the Iraqi people were achieved.”

260. Mr Blair added:

“Perhaps I can now take this opportunity to inform the House that the Intelligence and Security Committee ... contacted the Government in early May to conduct an inquiry into the role of intelligence in Iraq. I welcome this and I can assure the House that the Government will co-operate fully with it.”

261. Asked by Mr Iain Duncan Smith, the Leader of the Opposition, about remarks made by Dr John Reid, the Leader of the House, during an interview on the *BBC's Today* programme, that “rogue elements within the intelligence services are undermining the Government and their numbers are growing”, Mr Blair replied:

“It is obvious from what the *Today* programme has said – if that source is to be believed – that of course there was somebody from within the intelligence community who spoke to the media. But I want to say that the security services and intelligence services do a superb job ...”

262. Asked how senior he thought the people making the allegations were and how many of them there were, Mr Blair told Mr Duncan Smith that the source was anonymous, but he:

“... did not believe that the person who is talking is a member of the Joint Intelligence Committee and ... I have spoken and conferred with the Chairman of the ... Committee – that there was no attempt, at any time, by any official, or Minister, or member of No.10 Downing Street staff, to override the intelligence judgements of the Joint Intelligence Committee. That includes the judgement about the so-called 45 minutes [see Section 4.2]. It was a judgement made by the Joint Intelligence Committee and by that committee alone.”

263. Referring again to the allegations made by Dr Reid, and allegations from others that Mr Blair had “misled Parliament and the country”, Mr Duncan Smith asked Mr Blair to publish “the dossier given to him by the JIC before the one that he published in September”.

264. Mr Blair replied:

“In relation to all those issues, the Intelligence and Security Committee is at full liberty to go through all the Joint Intelligence Committee assessments and produce a report on them. Because of the importance of the issue, it is only right that a report is published so that people can make a judgement on it. However the claims that have been made are simply false ...”

265. Mr Duncan Smith stated that Mr Blair would allow the ISC to see “only the intelligence reports that he wanted it to see” and that, as the Committee was being “asked to investigate the Prime Minister’s role and that of his closest advisers ... surely the only way to clear up the problem is to have an independent inquiry”.

266. Mr Blair replied that Mr Duncan Smith:

“... was not making an allegation about the intelligence being wrong. On the contrary, he was rebutting the allegation that the intelligence was wrong ... it is not true that I will withhold from it [the ISC] the Joint Intelligence Committee assessments. In addition, the Committee can, in accordance with its normal practice, interview those people in the security services who drew up the JIC reports. That is surely a fair way to proceed. I will then publish the report.”

267. In response to further questioning from Mr Duncan Smith, Mr Blair stated:

“I have already said that we will produce all the evidence for the Intelligence and Security Committee. I really think that is the sensible and right way to proceed. It can then come to a considered judgement and I will publish the report.”

268. Mr Blair also rebutted the allegation that the source for “the 45 minute claim was an Iraqi defector of dubious reliability”, stating that “he was an established and reliable source”.

269. Addressing a question from Mr Charles Kennedy, Leader of the Liberal Democrats, about why people should allow more time and show patience in the search for WMD, Mr Blair replied:

“... The reason I ask people to be patient is that the group has just gone into Iraq: it should be allowed to get on with its job, investigate the sites, interview the witnesses and then report back to us.”

270. Mr Kennedy also asked for “a fully independent judicial review of what has just gone on”.

271. Mr Elfyn Llwyd (Plaid Cymru) also called for “a full public inquiry”.

272. During his subsequent statement about the G8 summit in Evian, France, from 1 to 3 June, Mr Blair was asked repeatedly about the search for WMD and to consider an independent inquiry.¹⁴⁶

273. In response to Mr Duncan Smith, Mr Blair stated:

“... the Iraq Survey Group is the body that will be able to ... interview the scientists and visit the sites. There are literally thousands of sites ... information is coming up the entire time, but it is only now ... that a dedicated team of people, which includes former UN inspectors ... will be able to go in and do the job properly ... I have no doubt that they will find the clearest evidence of Saddam’s weapons of mass destruction.

“The alternative thesis is that, having for years obstructed the UN, having had 12 years of sanctions, having kicked out the inspectors in 1998, and having invited an invasion by defying the UN, Saddam decided to get rid of the weapons of mass destruction anyway. That is an odd thesis to accept.”

274. Referring to the press reporting of remarks made by Secretary Rumsfeld and Mr Wolfowitz, Mr Blair added that the full transcripts of the interviews showed they were “arguing that it will be difficult to say exactly what has happened to the weapons until we collect the evidence”; and that it had always been the UK Government’s case that there had been “a systematic campaign of concealment once Saddam knew the inspectors were going back in”.

275. In response to points raised by Mr Ken Clarke (Conservative), including on the wider consequences if it turned out that the Government’s assertion that military force was needed to disarm Iraq turned out not to be true, Mr Blair replied:

“... the basis on which we went to conflict was that in resolution 1441, Iraq was given a final chance to comply ... and the conclusion that we drew six months later was that it was not doing so. The problem in the UN Security Council is that we could not get agreement even to the fact that, if it [Iraq] carried on not complying fully and unconditionally ... we could take action. That was obviously an unacceptable situation.

“... I stand entirely by the dossier that we issued and the intelligence contained in it ... When we get a proper and fully documented account of what it [the ISG] has found, we will present it ... [It] would be sensible to suspend our judgement until that time, but I stand fully by what our intelligence agencies put out ...”

276. Asked by Ms Barbara Follett (Labour) about the role of the UN, Mr Blair stated that “for obvious reasons there will have to be some independent verification” at the end of the process; and that was being discussed by Mr Straw with his counterparts.

¹⁴⁶ House of Commons, *Official Report*, 4 June 2003, columns 157-176.

277. Asked by Mr Brian H Donohoe (Labour) if he would allow the Foreign Affairs Committee to have the same access to the evidence and witnesses as the ISC, Mr Blair stated that “it would not be sensible to have two inquiries competing”.

278. Asked by Mr Denzil Davies (Labour) whether the “failure of the Coalition to look for” weapons of mass destruction “as a matter of the highest priority in the immediate aftermath of the war could well have provided the opportunity for many of the weapons – if they are there – to find their way into the hands of the various terrorist groups that are operating in and around the Middle East”, Mr Blair replied that that was a crucial issue but he did not think it was wrong:

“... for the Coalition to have said that our first priority at the end of the conflict ... had to be reconstruction and the humanitarian position of the Iraqi people. Indeed we would have been criticised roundly if we had not done so.”

279. Mr Blair’s statement about the G8 summit was followed by a second debate on Iraq.¹⁴⁷

280. The Liberal Democrat motion tabled for the debate stated:

“That this House recalls the Prime Minister’s assertion that Iraq possessed weapons of mass destruction capable of being used at 45 minutes’ notice; further recalls the Government’s contention that these weapons posed an imminent danger to the United Kingdom and its forces; notes that to date no such weapons have been found; and calls for an independent inquiry into the handling of the intelligence received, its assessment and the decisions made by Ministers based upon it.”

281. In his speech opening the debate, Mr Menzies Campbell, Liberal Democrat Foreign Affairs Spokesperson, set out in detail his interpretation of the case which had been made by the Government before the conflict; questioned whether military action was “truly a last resort” and if action to bring an end to the regime of Saddam Hussein was proportionate; and set out the rationale for an independent Inquiry which would be answerable to the public, “not just to the Prime Minister or the House”.

282. The Government tabled an amendment to the Liberal Democrat motion stating that the ISC was “the appropriate body to carry out any Inquiry into intelligence relating to Iraq” and asking the House to note the terms of resolution 1483 “in relation to Iraq’s disarmament obligations”, which had been adopted while Parliament was in recess.

283. In his speech in support of the amendment, which addressed a wide range of issues, not just WMD, Mr Straw stated that the Government had not, so far as he was aware, used some of the words in the Liberal Democrat motion. It had not referred to Iraq’s weapons posing an “imminent danger”; it had:

“... talked about a threat to international peace and security, as had the United Nations.”

¹⁴⁷ House of Commons, *Official Report*, 4 June 2003, columns 180-232.

284. Mr Straw also stated that the September 2002 dossier had said “that Iraq’s military planning allowed for some of the weapons of mass destruction to be readied within 45 minutes of an order to use them”.

285. Subsequently, Mr Straw said that the Foreword was:

“... subject to discussion and agreement from the head of the JIC to ensure, plainly that what was in the Foreword was entirely consistent with what was in the body of the document.”

286. Asked by Mr Michael Portillo (Conservative) whether “any intelligence officers” had remonstrated with Mr Blair or any other Minister that the 45 minutes point should not have been included in the Foreword to the dossier, because it was based only on a single source, Mr Straw replied “no”.

287. Pressed by Mr Robin Cook (Labour) to acknowledge that the policy of containment had been successful and that the statement was wrong because no weapons ready for use within 45 minutes had been found in Iraq, Mr Straw replied:

“I do not accept that, because we have not yet been able to find physical evidence of the possession of such weapons, these weapons did not therefore exist. That flies in the face of all the other evidence ...”

288. Mr Straw stated that the 45 minutes point was not “a key factor in the decision to go to war”, and “The basis for action was not an intelligence dossier that had been put before the House six months before”.

289. In response to an intervention from Mr Kennedy pointing out what Mr Blair had said in his speech to the House on 24 September about Iraq’s WMD programmes, Mr Straw stated that the international community had judged that Iraq posed a threat to international peace and security and it was:

“... impossible to explain Saddam’s behaviour unless he had weapons of mass destruction.

“Dr Blix is just about to publish a further report ... The chief weapon inspector said that Baghdad had supplied his team with increasingly detailed information but that: even at the end, Iraq failed to allay suspicions that it had something to hide, and its trend of withholding pertinent information meant that the suspicions mounted and mounted.

“That was true for Dr Blix and it was also true for the Security Council ... It is impossible to read those reports [from the inspectors to the Security Council] and to set them against the evidence of Saddam’s behaviour without coming to the conclusion that, in Dr Blix’s words, there was a strong presumption for the holding of those weapons.”

290. In the concluding section of his speech, Mr Straw asked the critics of the Government:

“... whether they seriously believed that when Saddam Hussein chose confrontation rather than co-operation, he possessed no weapons of mass destruction following our decision on 18 March? Do they seriously argue that Saddam had disposed of all his poisons and toxins and missiles, and then deliberately chosen not to prove their destruction but to go down a path that led to his downfall? ...

“Even if we make the most extreme allowances ... how can we possibly believe that he cheated and deceived the international community year after year, until we had no option but military action, and yet that he possessed no weapons of mass destruction?

“... Is it not more likely that Saddam, knowing the game was up and realising that we meant what we said, went to extraordinary lengths to dismantle, conceal and disperse the weapons and any evidence of their existence? ... Saddam had spent years perfecting the art of concealment and carried that out so completely that it will take some time to search hundreds of sites, interview thousands of scientists and locate and evaluate what remains of the documentary and physical evidence.”

291. In his speech, Mr Michael Ancram, the Shadow Foreign Secretary, referred to five questions posed by Mr Duncan Smith in a letter to Mr Blair the previous day.

292. The questions posed by Mr Ancram can be summarised as:

- Whether the dossier’s original conclusion had been deleted and a new preamble, reportedly written by the Prime Minister, inserted?
- If the 45 minutes point was not significant, why did the information appear three times in the dossier; why had Mr Blair referred to it in his speech on 24 September 2002; and was it usual to use single-source intelligence?
- A request for a “categorical assurance that there was no disagreement between Downing Street and the intelligence Services on the handling of intelligence information”.
- What was the new, but so far unpublished, information referred to by Mr Blair in an interview on 1 June?

293. Mr Ancram stated that the Opposition proposed:

“... a resolution in both Houses of Parliament under the Tribunals of Inquiry (Evidence) Act 1921. That is the most powerful form of inquiry and is appropriate for an issue of this gravity. The tribunal would be chaired by a senior judge ...”

294. Mr Ancram also made clear that such an inquiry was required to address the way intelligence had been used. It was “not about the justification for action in Iraq; nor ... about the conduct of that action”.

295. The Liberal Democrat motion was defeated by 301 votes to 203 and the Government amendment was agreed without a further vote.

296. Demands for an independent judge-led inquiry persisted through the summer.

297. Responding to a question from Mr Kennedy at PMQs on 18 June about whether the Government had been told by SIS that Iraq did not possess WMD “capable of posing a direct threat to British security”, Mr Blair stated:

“The intelligence that we put out in the dossier last September described absolutely accurately the position of the Government ... that Saddam was indeed a threat to his region and the wider world. I always made it clear that the issue was not whether he was about to launch an immediate strike on Britain: the issue was whether he posed a threat to his region and to the wider world.”¹⁴⁸

298. Asked by Mr Kennedy whether he thought the issue could be “adequately investigated by a Foreign Affairs Committee to which he refuses to give evidence and a Joint Intelligence Committee which he controls”, and whether there could not be “a proper independent judicial inquiry”, Mr Blair stated that the ISC was “entirely capable of investigating all the facts and getting to the truth”.

299. The House of Commons’ second debate on setting up an independent inquiry took place on 15 July and is described later in this Section.

Dr Blix’s final report to the Security Council

300. Dr Blix submitted UNMOVIC’s 13th quarterly report to the Security Council on 30 May.¹⁴⁹

301. In presenting the report to the Council on 5 June, Dr Blix highlighted a number of points, including:

- The Commission had not at any time “found evidence of the continuation or resumption of programmes of weapons of mass destruction or significant quantities of proscribed items”, whether from pre-1991 or later.
- That did “not necessarily mean that such items could not exist. They might”. Long lists of items remained “unaccounted for”, but it was “not justified to jump to the conclusion that something exists just because it is unaccounted for”.
- The list of unaccounted for items had “not been shortened by inspections or Iraqi declarations, explanations or documentation”; and it was Iraq’s task to convince the inspectors that the items did not exist. Without that, the international

¹⁴⁸ House of Commons, *Official Report*, 18 June 2003, columns 349-350.

¹⁴⁹ UN Security Council, ‘Note by Secretary-General’ attaching ‘Thirteenth quarterly report of the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission in accordance with paragraph 12 of Security Council resolution 1284 (1999)’ (S/2003/580).

community could not “have confidence that past programmes or any remaining part of them have been terminated”. An “effective presence of international inspectors” would, however, “serve as a deterrent against efforts aimed at reactivating or developing new programmes”.

- Iraq had “made considerable efforts to provide explanations, to begin inquiries and to undertake exploration and excavations” during the month and a half before UNMOVIC’s withdrawal.
- “... [T]hose efforts did not bring the answers needed ... We did not have time to interview the large number of persons who were said by Iraq to have participated in the unilateral destruction of biological and chemical weapons in 1991. Such interviews might have helped towards the resolution of some outstanding issues, although one must be aware that the totalitarian regime in Iraq continued to cast a shadow on the credibility of all interviews.”
- The programme to destroy the Al Samoud 2 missiles had not been completed, and “there was no time to assess whether the Al Fatah missile stayed within the range allowed”.
- The report showed that the weapons destroyed before the inspectors left in 1998 “were, in almost all cases declared by Iraq, and that the destruction occurred before 1993 in the case of missiles, and before 1994 in the case of chemical weapons”.
- The existence and scope of the biological weapons programme was uncovered by UNSCOM in 1995, “despite Iraq’s denials and concealment efforts”; “only a few remnants” of the programme were subsequently found. “A great deal – Iraq asserts all – was unilaterally destroyed in 1991.”
- The lack of significant finds over many years “could be because the items were unilaterally destroyed by the Iraqi authorities or else they were effectively concealed by them”. In the “new environment in which there is full access and co-operation, and in which knowledgeable witnesses should no longer be inhibited from revealing what they know, it should be possible to establish the truth”.
- The inspectors had looked for sites where mobile facilities could be operated and Iraq had presented some information about the mobile systems they possessed which did not match “the description which has recently been made available to us, as well as the media, by the United States”. UNMOVIC could not “make a proper evaluation of the depicted vehicles on the basis of the published material alone”.
- UNMOVIC remained “ready to resume work in Iraq as an independent verifier or to conduct long-term monitoring, should the Council so decide”.

302. Reporting on the subsequent discussion in informal consultations, Sir Jeremy Greenstock stated that most members of the Council saw a future role for UNMOVIC and asked to be kept updated on Coalition activities.¹⁵⁰

The JIC Sub-Committee on Iraq/WMD and the WMD Task Force

303. In June, the Government set up two bodies to improve oversight and co-ordination of the UK approach to Iraqi WMD:

- the JIC Sub-Committee on Iraq/WMD, responsible to the JIC for “strategic co-ordination of all intelligence implications related to Iraq’s WMD programmes”, including Parliamentary and media issues; and
- the WMD Task Force, with a focus on the ISG and information flows between London, Washington and Iraq.

304. On 3 June, after a discussion with Sir David Manning and Sir David Omand, Mr Scarlett informed Sir David Manning that he proposed to establish a “Working Group” on Iraq/WMD which would act as a sub-committee of the JIC.¹⁵¹

305. Mr Scarlett wrote:

“The current public debate about WMD in Iraq raises a series of basic questions about intelligence, its collection, assessment and role in policy making and public presentation. It therefore touches upon the vital interests of the intelligence community. The management of our community response, indeed the response of the Government, to these questions will be complicated and likely to remain a requirement for some time. We need to consider whether we have the right structures in place to co-ordinate this to the best effect.”

306. The Group would need to meet regularly to address:

- “Exploitation in Iraq and elsewhere ...”;
- “Arrangements for assessing the results ...”;
- “Public policy issues”, including “Parliamentary aspects” and “support for the Government response to the ISC Inquiry”;
- “Public presentation”, including “proactive and reactive responses to media coverage”;
- “Co-ordination with US Agencies and authorities.”

307. The Group would not be large, but should include representatives from the FCO, the MOD, DIS, SIS, Government Communications Headquarters (GCHQ) and OD Sec. Membership should be at a senior level.

¹⁵⁰ Telegram 942 UKMIS New York to FCO London, 6 June 2003, ‘Iraq: Blix Briefing on 13th UNMOVIC Quarterly Report’.

¹⁵¹ [Minute Scarlett to Manning, 3 June 2003, ‘Iraq/WMD: JIC Co-ordination’.](#)

308. Mr Scarlett stated that the new Group would operate at the “strategic, co-ordination level”. It would need to avoid overlap with other groups, in particular the Executive Group (also known as the Evidence and Elimination Task Force and, later, the Iraq WMD Task Force), led by Mr Howard, which oversaw UK interests in the ISG.

309. The draft Terms of Reference, circulated separately by Mr Scarlett, stated:

“The Sub-Committee on Iraq/WMD will be responsible to the Joint Intelligence Committee for:

- The strategic co-ordination of all intelligence implications related to Iraq’s WMD programmes, including:
 - the [intelligence] community’s response to those issues;
 - the [intelligence] community’s advice to Government;
 - Parliamentary issues;
 - media issues;
 - relations with other groups and allies.”¹⁵²

310. At its first meeting on 5 June, the Sub-Committee agreed the following Terms of Reference:

“The Sub-Committee on Iraq/WMD will be responsible to the Joint Intelligence Committee for:

- The strategic co-ordination, and where necessary management, of all information and intelligence implications related to Iraq’s WMD programmes, including:
 - the [intelligence] community’s response to these issues;
 - the [intelligence] community’s advice to Government;
 - Parliamentary issues, including the co-ordination of the Government’s response to the Intelligence and Security Committee inquiry and the intelligence aspects of the Foreign Affairs Committee inquiry;
 - media issues;
 - relations with other groups and allies.

“The Chairman of the Joint Intelligence Committee will chair the Group ...”¹⁵³

311. The meeting agreed that membership of the Committee should be expanded to include the Home Office, but the No.10 Press Office should not have formal representation. It also noted the importance of ensuring consistency of message and

¹⁵² Minute Scarlett to Ehrman, 3 June 2003, ‘JIC Sub-Committee on Iraq/WMD’ attaching Agenda, 5 June 2003, JIC Sub-Committee on Iraq/WMD and Paper [unattributed] ‘JIC Sub-Committee on Iraq/WMD Draft Terms of Reference’.

¹⁵³ Minutes, 5 June 2003, JIC Sub-Committee on Iraq/WMD meeting.

discussed the arrangements for units in the Cabinet Office and the FCO to co-ordinate the responses to, respectively, the ISC and FAC.

312. On 6 June, Mr Howard informed members of the Evidence and Elimination Task Force that, as a result of the “intense media and parliamentary interest in Iraqi WMD and related UK dossiers”, there would be “a shift of gear” in the intensity of Task Force activity and its role.¹⁵⁴

313. The Task Force “Mark 2” would focus on supporting the ISG’s WMD work and continuing to improve information flows between London, Washington and theatre, while the new JIC Group focused on the inquiries to be conducted by the FAC and ISC. Reflecting the establishment of the ISG, the Task Force would become more intelligence-led, providing “guidance, ideas and information to the ISG for exploitation”. Task Force membership would need to reflect those changes. The UK would be increasing its capabilities on the ground to feed in to the ISG’s work.

314. Mr Howard circulated Terms of Reference for the Task Force on 18 June.¹⁵⁵ Its five functions were:

- To contribute to US/UK/AUS strategic guidance on the conduct of the search for Iraqi WMD through the Iraq Survey Group and other agencies.
- To monitor, report and consider public handling of significant WMD related discoveries.
- To co-ordinate the UK contribution to the ISG and other bodies associated with the search for Iraqi WMD.
- To consider longer term issues associated with Iraqi WMD including destruction and counter-proliferation.
- To provide advice and reports as required to Ministers and other senior management in MOD and elsewhere in Whitehall as appropriate.”

315. Sir John Scarlett told the Inquiry:

“The actual day-to-day conduct of business with the ISG was conducted by something called the Executive Group [the WMD Task Force], which was overseen by the Deputy Chief of Defence Intelligence [DCDI, Mr Howard]. So it was ... more on the DIS/MOD side, and that was where the direction of the British contribution to the ISG and personnel was directed from.

“But the JIC sort of overall, I as Chairman of the JIC, and I, in particular, as Chairman of the JIC sub-group on Iraq WMD ... had that as part of our specific remit, that we needed to oversee the relationship with the ISG. So I was either in direct contact myself with David Kay [the first Head of the ISG], for the rest of 2003, and then

¹⁵⁴ Minutes, 6 June 2003, WMD Evidence and Elimination Task Force meeting.

¹⁵⁵ Minute Howard to DCPAC, 18 June 2003, ‘Iraq: WMD Task Force’ attaching Paper [unattributed], [undated], ‘WMD Task Force ToR’.

Charles Duelfer [Dr Kay's successor] into 2004 ... or I was obviously hearing about them because I was receiving reports from DCDI, who either himself went to Baghdad or was conducting the contacts. So there was very regular contact."¹⁵⁶

UK concerns about the ISG's slow start

316. During June, Ministers and senior officials pressed the US to ensure a rapid start to the ISG's work.

317. Mr Blair raised with President Bush the urgent need to find and promise immunity to personnel who had worked on Iraq's WMD programmes.

318. Shortly afterwards, President Bush transferred responsibility for the ISG from Secretary Rumsfeld to Mr Tenet.

319. Mr Blair met President Bush over breakfast at the G8 Summit in Evian on 2 June.¹⁵⁷ Mr Blair said there was "an urgent problem" over WMD. The scientists and technicians who would tell the truth about the WMD programme needed to be found. That meant being ready to promise immunity, otherwise they would be too frightened to talk. Mr Blair said he would look into whether there was a UK judge or lawyer who might be appointed as Official Prosecutor with authority to agree plea bargains.

320. Following his visit to Iraq, Mr Blair chaired a meeting on 3 June, attended by Mr Hoon, Baroness Amos (the International Development Secretary), Sir Michael Jay (FCO Permanent Under Secretary (PUS), in Mr Straw's absence) and No.10 officials, which discussed a range of issues (see Section 10.1).¹⁵⁸

321. After the meeting, Mr Cannon commissioned a number of papers to be ready before a further meeting on 6 June, including advice on "a judge/lawyer/interrogator to negotiate incentive/immunity packages for Iraqi WMD scientists and officials".

322. Mr Watkins wrote to Sir David Manning on 4 June about the need, given the continuing media focus on WMD, for short- and medium-term strategies for public handling of the search for WMD.¹⁵⁹

323. Mr Watkins stated that the "most convincing evidence" of an illicit Iraqi WMD programme remained "the alleged mobile BW trailers currently under investigation" at Baghdad Airport. The draft of "a preliminary inter-agency report" suggested that "one of the trailers was not capable of producing BW agent". That was, however, "likely to be subject to considerable revision", and there was "a strong likelihood that the eventual conclusions will be very close to our own". There was "a lot of work to be done" on the issues, including a further visit by UK experts.

¹⁵⁶ Private hearing, 5 May 2010, pages 57-60.

¹⁵⁷ Letter Manning to McDonald, 2 June 2003, 'Breakfast meeting between the Prime Minister and President Bush: 2 June 2003'.

¹⁵⁸ [Letter Cannon to McDonald, 3 June 2003, 'Iraq: Prime Minister's meeting', 3 June'](#).

¹⁵⁹ Letter Watkins to Manning, 4 June 2003, 'Iraq: WMD Detection and Elimination: Public Handling'.

324. Without a major find of WMD-related material which could “justifiably be described as a smoking gun”, the “hunt for evidence” was “likely to take some months”. Finding “a body of evidence” that persuaded “everybody that the war was proportionate to the threat” was “unlikely”. But it needed “to be enough to convince mainstream public, media and parliamentary opinion that a programme existed and had been concealed”.

325. Mr Hoon thought the Government should:

- be prepared to publicise significant discoveries only once they had been fully validated and after careful co-ordination with the US;
- periodically make public a consolidated and validated picture of developments, with the first before the summer break, provided there was “enough material to justify it”; and
- be in a position to respond to emerging stories, with better co-ordination of US and UK public positions.

326. The “public position could be reinforced” if it were possible in due course to “involve the UN [in] the verification process”. The ISG would host at least one embedded journalist. Mr Hoon had offered a UK communications adviser in response to a US request for assistance with ISG communications.

327. Mr Watkins wrote that a “more radical approach ... could be to play down WMD ... and focus on other areas”; but Mr Hoon doubted that would work. In his view, “the WMD issue would not go away, particular[ly] in the UK. Any attempt to brush it aside or downgrade its importance” was “likely to backfire”.

328. Asked if he had any comments, Mr Scarlett wrote: “Not really. This is sensible but the pace has hottened up. My JIC sub-committee will watch (and drive) specific issues v. closely.”¹⁶⁰

329. Following a meeting of the AHMGIR on 5 June, which considered the papers commissioned by Mr Cannon on 3 June, Mr Straw provided a paper on possible incentives for Iraqi WMD personnel for Mr Blair to send to President Bush.¹⁶¹

330. The paper stated that UNSCOM had produced a list of “around 6,500 Iraqis who had been involved in ... prohibited weapons programmes”, but “the true figure could be considerably higher”. Coalition Forces had captured a few high-ranking individuals, but there had been “no contact with the great mass of personnel”, which “should be a high priority” for the ISG.

¹⁶⁰ Manuscript comment Scarlett to Manning on Letter Watkins to Manning, 4 June 2003, ‘Iraq: WMD Detection and Elimination: Public Handling’.

¹⁶¹ [Letter Straw to Blair, 5 June 2003, ‘Iraq: winning the peace’ attaching Paper \[unattributed\], \[undated\], ‘Iraqi WMD Personnel’.](#)

331. The paper recommended a combination of carrots and sticks. Proposed incentives were:

- immunity from prosecution;
- personal security;
- financial security; and
- job security.

332. The Coalition Provisional Authority (CPA) de-Ba'athification programme (see Section 11) and the dissolution of Saddam Hussein's security apparatus was "a strong perverse incentive for anyone affected ... not to co-operate with the Coalition".

333. The paper stated that the threat of prosecution in the Iraqi courts for concealing evidence might be sufficient to encourage personnel to come forward.

334. The paper highlighted the need for:

- a public information campaign explaining how people should get in touch;
- facilities in Iraq to receive, filter and interview personnel; and
- an ISG ability to respond quickly to credible information. Looting and arson could already have destroyed valuable evidence.

335. On 5 June, at Sir David Manning's request, Sir Richard Dearlove sent No.10 an outline for Mr Blair on "what SIS will do additionally over the next six to eight weeks to uncover evidence of Iraqi WMD".¹⁶²

336. Sir Richard hoped that, by the end of July, the ISG would be fully functional and able to take activity forward with intelligence support from SIS. If necessary, SIS should be able to sustain its own effort once the ISG was operational. In the meantime, Sir Richard intended:

"... to put more SIS staff (or staff borrowed from other Agencies) on the ground and to boost the WMD-related effort in concert with the MOD. Our aim is primarily to identify Iraqi scientists who will attest in public to what is in the intelligence record. As regard logistics (ground penetrating radar, transport etc) I believe MOD can offer us all we need."

337. Sir Richard explained that, over the next six to eight weeks, SIS aimed to pursue to a conclusion all CBW and missile leads involving more junior scientists and officers. In pursuing those individuals, it would be important to agree a common position on adequate incentive and immunities with the US. Mr Bowen was pursuing the issue, but it would probably be necessary "to cut through the US bureaucracy to achieve a rapid satisfactory outcome".

¹⁶² Letter C to Manning, 5 June 2003, 'WMD in Iraq'.

338. Sir Richard added that SIS had been “closely involved in the protracted saga of the [BW] trailers”. The extended debate over the trailers’ function “served to underline the importance of controlling publicity and of co-ordination both with the US and within the US system”. He hoped that would become easier to manage once the ISG was up and running.

339. In conclusion, Sir Richard said that, over the next week, SIS would be refining requirements for the “surge effort” described in his letter.

340. During his conversation with President Bush on 6 June, Mr Blair stressed the importance of offering inducements to Iraqis involved in WMD programmes.¹⁶³ He said that he was relaxed about the ISG and confident it would get results.

341. At its meeting on 6 June, the Evidence and Elimination Task Force was informed that, in relation to the recruitment of inspectors, Dr David Kelly, MOD Special Adviser Counter-proliferation and Arms Control, was conducting “a recce to theatre”, which would “inform a further briefing of prospective UK ISG inspectors on 13 June”.¹⁶⁴

342. The Task Force was also informed:

- “All BW samples” had, “so far, been negative or inconclusive”. The official report on samples from the bio-trailer was “inconclusive”.
- The Vice Chief of the Defence Staff had “formed a ‘Tiger Team’ to look into WMD lessons learned”.

343. Reporting the main points to have emerged from the meeting, Mr Dowse wrote:

- “... [d]espite all previous assurances, the US have done no further investigation of the first two bio-lab trailers and – incredibly – have lost the third ... it was left unguarded and disappeared”.
- The DoD was suggesting “adopting as ‘hypotheses’ that Iraq either destroyed all its WMD before the war, or hid it in Syria (and Sudan) – and then focusing intelligence collection efforts on finding evidence to prove this. This looked dangerous ...”
- The ISG had “no clear lines of command ... or of reporting back to Washington”.
- There was “clear competition between US agencies”.¹⁶⁵

344. Mr Blair discussed the ISG with Mr Straw and Mr Hoon on 9 June.¹⁶⁶ They agreed that it needed to become operational as quickly as possible with clear command and control arrangements.

¹⁶³ Letter Cannon to McDonald, 6 June 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 6 June’.

¹⁶⁴ Minutes, 6 June 2003, Iraq WMD Evidence and Elimination Task Force meeting.

¹⁶⁵ Minute Dowse to Oakden, 6 June 2003, ‘DCDI Iraqi WMD Co-ordination Meeting, 6 June’.

¹⁶⁶ Letter Manning to McDonald, 9 June 2003, ‘Iraq: Conversation with Condi Rice’.

345. In his conversation with Dr Rice on 9 June, Sir David Manning reported Mr Blair's view.¹⁶⁷ He assured Dr Rice that the UK would give its best resources to the intelligence component of the ISG, but the UK needed access to all the relevant information.

346. Sir David reported that Dr Rice had assured him that she had been asked to take action after Mr Blair's conversation with President Bush on 2 June, and that responsibility for WMD had been transferred from Secretary Rumsfeld to Mr Tenet, who was to ensure that the ISG concentrated on two priorities: the search for WMD and the search for Saddam Hussein and his sons. Mr Tenet intended to recruit Dr David Kay, a former inspector, to help shape the WMD effort.

347. Sir David also reported that he had told Dr Rice that action on incentives and immunities was "extremely urgent". The absence of interviews had been a "major weakness" in UNMOVIC's approach.

348. Sir David commented that Mr Blair's concerns had clearly registered with President Bush and that Sir Richard Dearlove would be in touch with Mr Tenet "shortly".

349. Mr Cannon informed Sir Richard Dearlove's Private Office that, in response to the US "shake-up" of oversight of the ISG, Sir David Manning thought that the "most appropriate channel" to follow up Mr Blair's conversation with President Bush would be for Sir Richard to write to Mr Tenet setting out the UK's views.¹⁶⁸ Mr Scarlett agreed.

350. As the basis for a letter, Mr Cannon provided a draft, which had been cleared with Mr Scarlett, together with a copy of the FCO paper on incentives to encourage Iraqi WMD personnel to come forward.

351. The draft identified six "key priority areas" for the success of the ISG:

- a clear command structure, with clear priorities and an effective flow of information;
- an intelligence-led campaign with resources put to best use; the UK had "some skills in this area" and was "keen to contribute";
- complete sharing of intelligence generated by the ISG "without restrictions of access at any level"; the UK was "keen to play its full part";
- inducements and immunity; there was "some experience in this area which ... could be helpful";
- "a sense of drive and urgency"; and
- logistic support.

¹⁶⁷ Letter Manning to McDonald, 9 June 2003, 'Iraq: Conversation with Condi Rice'.

¹⁶⁸ Letter Cannon to PS/C, 10 June 2003, 'Iraq Survey Group' attaching Paper [unattributed], [undated], 'Iraq Survey Group'.

352. The draft concluded:

“We agree that we need to take this investigation forward patiently and prudently, without letting the media and the anti-intervention lobby rattle us. But we have to move fast to secure the physical evidence of WMD and more importantly the people, the scientists and administrators with the knowledge of the programmes, before they have time to get together and work out a co-ordinated strategy for dealing with us ... [and] before they start taking their proliferation skills somewhere else.”

353. Following a discussion with Mr Tenet on 11 June, Sir Richard Dearlove sent him the two papers provided by Mr Cannon.¹⁶⁹ Sir Richard explained that SIS had made arrangements to reinforce and reorganise in Iraq to bridge the gap until the ISG was fully operational. He also asked Mr Tenet for details of the new command and control arrangements for the ISG so that decisions could be made on adjustments needed in the UK.

354. Mr Tenet announced Dr Kay’s appointment as “Special Advisor for Strategy regarding Iraqi Weapons of Mass Destruction Programs” (commonly known as the Head of the ISG) on 11 June 2003.¹⁷⁰

355. In his memoir, Mr Tenet wrote:

“Military personnel would have to do the lion’s share of the actual searching and provide almost all of the physical security for those engaging in the mission. To get around that hurdle, we carefully negotiated a memorandum of understanding with DOD, spelling out how a senior advisor appointed by me would work with, but not command, what was called the Iraq Survey Group (ISG), which would stay technically under the command of a two-star general reporting to the Secretary of Defense.”¹⁷¹

356. Mr Tenet also wrote:

“Our instructions to Kay were simple. Find the truth. We promised him the resources he needed and an absence of interference from the home front. I am confident that we delivered both.”

357. Mr Tenet added, “We protected Kay’s independence fiercely.”

358. Senior US, UK and Australian military officers and civilians involved with the ISG took part in weekly video conferences linking Baghdad with capital cities.¹⁷² Participants included Secretary Rumsfeld’s Office, CENTCOM, the Joint Chiefs of Staff, the DIA, the US intelligence office in Baghdad, and UK and Australian intelligence.

¹⁶⁹ Letter Dearlove to Tenet, 12 June 2003, [untitled].

¹⁷⁰ CIA News & Information, 11 June 2003, *DCI Tenet Announces Appointment of David Kay as Special Advisor*.

¹⁷¹ Tenet G & Harlow B. *At the Center of the Storm: My Years at the CIA*. HarperPress, 2007.

¹⁷² Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

359. On 12 June, Mr Straw told Cabinet that the ISG was starting work. Incentives and immunities to encourage Iraqi co-operation were being sorted out.¹⁷³

360. There is no record in the minutes that Mr Straw explained the UK's role or responsibilities to Cabinet.¹⁷⁴

361. Sir Richard Dearlove sent Sir David Manning a copy of the letter to Mr Tenet on 16 June.¹⁷⁵

362. In a covering letter to Sir David Manning, Sir Richard suggested:

“With CIA in the ISG driving seat on WMD, SIS will need to take a more prominent role in the co-ordination of the UK effort, as we are best placed to liaise with CIA here, in Washington and on the ground in Iraq.”

363. Depending on what Mr Tenet told Sir Richard about command, control and communications arrangements for the ISG, it might be necessary to “re-jig” the Whitehall arrangements on WMD to reflect a more prominent SIS role. Any changes would need to avoid detracting from the “key contribution of DIS/MOD, who are providing the major UK input of resources and expertise, here and in the field”.

364. Sir Richard suggested setting “some review deadlines”, with a first review at the end of July to assess the impact of the joint SIS/DIS “surge effort” and the interface between that effort and the start of the ISG. He suggested a date around the end of September for a first formal review of the ISG.

365. Sir Richard commented:

“Although the UK will be the junior partner in the ISG, and we may need to manage expectations on both sides of the Atlantic about what it can achieve, I hope that we will be able to influence its focus and pace of activity.”

366. Sir David Manning endorsed Sir Richard Dearlove's proposals and asked Sir Richard to discuss the streamlining of Whitehall machinery with Mr Scarlett.¹⁷⁶ Sir David envisaged the JIC Sub-Committee on Iraq/WMD remaining the focal point for the overall Whitehall effort, “but it will clearly need to work very closely with the SIS/CIA liaison machinery”.

367. SIS3 reported, after visiting Iraq in June, that logistical obstacles were likely to delay ISG operation until mid-July.¹⁷⁷ He had observed some confusion on the ground as a consequence of recent leadership changes and some “institutional rivalries and disconnects”, confirming SIS3 in the view that the UK should reinforce its independent

¹⁷³ Cabinet Conclusions, 12 June 2003.

¹⁷⁴ Cabinet Conclusions, 12 June 2003.

¹⁷⁵ Letter C to Manning, 16 June 2003, [untitled].

¹⁷⁶ Letter Manning to C, 17 June 2003, 'Iraq: ISG'.

¹⁷⁷ Letter SIS3 to Manning, 19 June 2003, 'Iraq: WMD'.

SIS/DIS effort and “seek to harness ISG capabilities to joint operational objectives once the ISG was up and running”. The “surge effort” should last until the end of July, when SIS would take stock.

368. SIS3 reported that co-ordination between UK agencies and units and between UK bodies and their US counterparts was impressive. The task now was to develop a coherent and comprehensive strategy and methodology that also encompassed CENTCOM and the ISG.

369. Mr Blair informed Cabinet on 19 June that the ISG had started systematic work on uncovering Iraqi programmes for WMD.¹⁷⁸ No further discussion of the issue was recorded.

370. Mr Howard sent Mr Bowen a progress report on 20 June.¹⁷⁹ It was now clear that Mr Tenet would exercise strategic oversight of the ISG’s work on WMD and would be represented in Iraq by Dr Kay. Maj Gen Dayton had been tasked to support Dr Kay. The ISG would continue to work within the military chain of command to ensure it received the necessary security, logistics and life support. There was evidence that CENTCOM was now giving the ISG the support it needed.

371. Mr Howard reported that, during calls on SIS and the DIS on 19 June, Dr Kay had stressed the importance he attached to the ISG being an intelligence-led operation and the need for an accelerated timetable.

372. Mr Howard also enclosed the first ISG situation report from Brig Deverell, Maj Gen Dayton’s Deputy, who reported that the main components of the ISG were now functional and that the first operations would take place later in the week.¹⁸⁰

373. Baroness Symons, Minister of State for the Middle East, explained the ISG’s lines of accountability to London and Washington in the House of Lords on 16 October:

“... the Iraq Survey Group (ISG) is not part of the Coalition Provisional Authority. It is part of the United States-led military forces in Iraq and is therefore accountable to the United States Administration. British personnel seconded to the Survey Group are under the tactical control of the United States’ commander. They are under the operational command of and accountable to the United Kingdom Chief of Joint Operations and thus to Her Majesty’s Government. On reporting, the findings of the Group are available to the Coalition partners, including our own Intelligence and Security Committee, which will have access to the full text of the ISG interim report.”¹⁸¹

¹⁷⁸ Cabinet Conclusions, 19 June 2003.

¹⁷⁹ Letter Howard to Bowen, 20 June 2003, ‘Iraq: Weapons of Mass Destruction: Iraq Survey Group and Related Issues: Progress Report’.

¹⁸⁰ Report Deverell to CDI, 18 June 2003, ‘Iraq Survey Group Sitrep No.1 18 Jun 03’.

¹⁸¹ House of Lords, *Official Report*, 16 October 2003, column 1095.

374. Major General Tim Tyler, British Deputy Commander of the ISG from early January to late March 2004, told the Inquiry that Maj Gen Dayton explained this arrangement by describing himself as the “taxi driver” for Special Advisors Dr Kay and Mr Duelfer, who “paid the fare”.¹⁸²

375. Maj Gen Tyler described how the separate chains of military and intelligence oversight worked from a British perspective:

“As senior UK rep, I had two lines of reporting, formal ones ... I reported directly back to the ROCKINGHAM cell for the intelligence aspects ... and then to PJHQ on all military aspects.”

376. Maj Gen Tyler added: “From my point of view it was straightforward and therefore did work.”

377. Mr Howard told the Inquiry that, although he had been concerned that the ISG would end up with a split command, the arrangement had worked quite well:

“Keith Dayton got on, ran the ISG, did the tasking, sent people out, made sure they were properly protected and, as it were, managed the administration, and David really concentrated on the analytical effort and targeting the analysis, saying this is where we need to concentrate our efforts, and I think that actually worked reasonably well.

“I thought that the industrial handling of documents and other sources by the ISG was very good. I think there were problems, nevertheless, of record-keeping, and problems of actually really bringing a vast amount of material into a single cohesive report.

“So it was a mixed picture, but the general approach, I think, was right.”¹⁸³

378. Mr Blair discussed WMD with President Bush on 26 June.¹⁸⁴ He informed President Bush that he hoped to set out publicly what the UK knew about WMD and the Iraqi regime’s human rights abuses in the next few weeks. The UK would co-ordinate with the US in doing so.

379. In a video conference with President Bush and others on 3 July, Mr Blair stated that there was a need to redouble the search for WMD.¹⁸⁵ Ambassador L Paul Bremer, CPA Administrator, reported that the work of the ISG had improved over the last week; and that the ISG had shifted from examination of declared sites and the interrogation of uncommunicative top regime figures to targeting lower level scientists and officials.

¹⁸² Private hearing, 3 June 2010, pages 2-4.

¹⁸³ Private hearing, 18 June 2010, pages 12-13.

¹⁸⁴ Letter Rycroft to McDonald, 26 June 2003, ‘Prime Minister’s Conversation with President Bush, 26 June’.

¹⁸⁵ Letter Cannon to McDonald, 3 July 2003, ‘Iraq: Prime Minister’s Video-conference with President Bush, 3 July’.

JIC Assessment, 27 June 2003: 'Iraq WMD: The Emerging Picture'

380. On 27 June, the JIC assessed that:

- it was “too early in the investigative process to make any firm judgements” about Iraq’s WMD; and
- so far, it had seen nothing to cause it to change either its “pre-conflict judgements on Iraq’s WMD programmes and capabilities, or the intelligence on which these judgements were based”.

381. At the request of the JIC Sub-Committee on Iraq/WMD, on 27 June the JIC produced ‘Iraqi WMD: The Emerging Picture’, a summary of its current understanding of the situation, based on the limited intelligence available since the start of hostilities.¹⁸⁶

382. During the JIC discussion of the draft on 25 June, the main points made were:

- There was “a great deal of interest in this paper and it would be important to get the language right”. The ISG’s work on the ground had only just begun and the situation was still developing. It was “too early to make firm judgements about Iraq’s WMD. Nothing had so far been found to disprove earlier JIC judgements.”
- The draft “should be structured to refer to previous JIC judgements and describe new evidence, but it should state that it could only provide a snapshot of work in progress”. The inclusion of Key Judgements was “not warranted”.¹⁸⁷

383. In the Assessment’s summary, the JIC stated:

“It is too early in the investigative process to make any firm judgements about the location, status and extent of Iraq’s weapons of mass destruction (WMD). A more focused approach to conducting the search process is only now being put into place. Implementation will have to allow for the difficulties of operating in post-conflict Iraq.

“A number of lines of investigation ... continue to be pursued. Limited new information has emerged since the conflict on Iraq’s chemical and biological capabilities. [...] So far we have seen nothing which would cause us to change either our pre-conflict judgements on Iraq’s WMD programmes and capabilities, or the intelligence on which these judgements were based.”¹⁸⁸

384. Points made in the Assessment included:

Chemical weapons

- Since the last JIC Assessment of 9 September 2002, “intelligence from a number of sources has continued to indicate that Iraq possessed chemical

¹⁸⁶ JIC Assessment, 27 June 2003, ‘Iraqi WMD: The Emerging Picture’.

¹⁸⁷ Minutes, 25 June 2003, JIC meeting.

¹⁸⁸ JIC Assessment, 27 June 2003, ‘Iraqi WMD: The Emerging Picture’.

munitions (particularly artillery and battlefield rockets) and was prepared to use them”.

- “Since the conflict began, intelligence has provided further indications that agent production was continuing in 2002 ...”
- “In initial interviews senior detainees are maintaining that Iraq’s chemical weapons programme ended in 1991 and that no weapons were retained.”

Biological weapons

- “Very little new intelligence relating to biological weapons alone has been received ... Detainees assessed to be involved continue so far to insist that the programme stopped in 1991.”
- “Confirmation of the exact purpose” of the suspect trailers would require further work. The trailers were “consistent with, although not optimally designed for, hydrogen production”. Analytical results had “revealed organic chemicals ... inconsistent with the hydrogen process alone. Even if hydrogen production is confirmed, technical analysis of the trailers has not undermined the assessment that they are capable of being used, with only minor modifications, for the production of micro-organisms.”

Nuclear weapons

- “Since the start of the conflict limited information relating to a nuclear weapons programme has been uncovered in Iraq. One recent report implies that some activity which could be associated with a centrifuge programme was undertaken between 1999-2002 ...”
- Mr Mahdi al-Ubaidi, the former head of the gas centrifuge programme, had “stated that documentation was concealed from the IAEA” and centrifuge components had been found buried at his residence. He “claimed that the nuclear weapons programme was not reconstituted after 1991” but “there was an intention to do so once UN sanctions were lifted”.

Ballistic missiles

- There had been “no new information” about Al Hussein missiles.
- Mr al-Huwaish, former head of the Military Industrial Commission (MIC) and a senior member of the National Monitoring Directorate, had claimed the Al Husseins were “unilaterally destroyed in 1992”.
- Post-conflict interviews and some supporting documentation confirmed previous judgements that Saddam Hussein “had ordered the development of missiles with ranges far in excess of the permitted 150km range”. There were “discrepancies” about when the programme had started and the planned range, but all the interviewees appeared “to agree that the programme was still at the design stage”.

- The missile designs described were “different to some of those previously highlighted in intelligence, because they are claimed to be based on Volga engine technology rather than SCUD”.

Unmanned Aerial Vehicles (UAV)

- The former Director of the Centre responsible for the UAV programme had confirmed that an Iraqi UAV flew 500km in June 2002. He continued to state that they were not designed for the delivery of chemical or biological agent.

Proliferation

- “We remain concerned about the proliferation of material, equipment and technical knowledge from Iraq to third parties ... We have not been able to substantiate intelligence and media reporting of missiles and other related material being sent to Syria or other countries.”

385. Addressing why there had been no finds of chemical and biological munitions or stocks of agent, or Al Hussein missiles or parts, the Assessment stated:

“A number of high value detainees claim that these munitions and systems do not exist. However, there are serious doubts as to [sic] their openness and co-operation. The weight of intelligence prior to the conflict, and the fact that the investigative process is at a very early stage, lead us to maintain our previous judgements.

“A number of other explanations have been proposed about the fate of Iraq’s WMD munitions and systems, some of which are supported by intelligence:

- munitions were deployed but have not yet been found, because they were either destroyed or hidden on the battlefield;
- they were destroyed to ensure they were not discovered by UNMOVIC inspections – [...] This would be more extreme than the concealment measures considered by the JIC in its paper of 11 October 2002 on inspections. There has also been a suggestion that some munitions were destroyed just prior to the conflict but intelligence on this has yet to be verified;
- Iraq’s concealment operation was so comprehensive that it did not allow for rapid reconstitution of an effective CBW or Al Hussein missile capability – [...] The gap between UN weapons inspectors leaving and the start of the conflict was only three days.
- the political decision-making process in Iraq was paralysed by the Coalition attack ...”

386. Sir John Scarlett told the Inquiry that the Assessment “sort of logged the picture at that moment, which was more or less when the ISG was seriously getting going”.¹⁸⁹ He added:

“So in the end of June Assessment it was just stated that no munitions of stocks or agent had been found for CW ... That was set against the fact that even during the conflict there had been continuing intelligence about tactical deployment of CW. This was early on, after the end of the conflict, and it was still seen as very early days.

“For BW it was slightly different at that point because it’s important to say that in late April, early May, trailers were found in Iraq ...

“So in the BW context, it wasn’t a case that nothing had been found, because it was thought that possibly something pretty serious had been found, and of course it played into a major line of reporting which was still being taken seriously at that time ...

“So initially ... it was said in bold terms, straight away, up front to customers what was not being found and what might be being found, and at that stage, emphasis was placed on it was too early to review judgments or change judgments because it was very early days in the search.

...

“It’s quite difficult to tell from the reporting notes going backwards and forwards at what point, if you like, the psychological mood changed, because clearly almost from the beginning when nothing was found, the possibility that nothing would be found was there ...”

FAC Report, 7 July 2003: ‘The Decision to go to War in Iraq’

387. On 7 July, the House of Commons Foreign Affairs Committee (FAC) published its report into the decision to go to war in Iraq.¹⁹⁰

388. Among its conclusions, the FAC stated that:

- It was “too soon to tell whether the Government’s assertions on Iraq’s chemical and biological weapons will be borne out”.
- The accuracy of most of the Government’s claims about Iraq’s nuclear weapons programme could only be assessed once the ISG had access to the relevant scientists and documentation.
- The 45 minutes claim “did not warrant the prominence given to it in the [September 2002] dossier because it was based on evidence from a single, uncorroborated source”.

¹⁸⁹ Private hearing, 5 May 2010, pages 58-60.

¹⁹⁰ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq*, HC 813-1.

- The effect of the February 2003 dossier had been “almost wholly counter-productive”, undermining the credibility of the Government’s case for war and the documents that were part of it.
- Ministers had not misled Parliament.

389. The postscript to the FAC report recorded the continuing absence of conclusive evidence that Iraq possessed WMD:

“Months after the cessation of the military phase of operations in Iraq, no conclusive evidence has come to light that the regime did indeed possess weapons of mass destruction. The question arises, why were these weapons not used, assuming they existed at all? This is at once one of the most difficult and one of the most important questions the Government has to answer.”

390. The FCO sent its initial response to the FAC report in November.¹⁹¹ It deferred its response to the FAC’s conclusions on the 45 minutes claim and the September dossier until after the conclusion of the Hutton Inquiry.¹⁹² Both responses are addressed later in this Section.

Mr Blair’s evidence to the Liaison Committee, 8 July 2003

391. During his evidence on Iraq to the Liaison Committee of the House of Commons on 8 July, Mr Blair was repeatedly asked about the Government’s position on Iraq’s WMD.¹⁹³

392. In his responses, Mr Blair made a number of points, including:

- The House of Commons had not been misled and he stood by the case which had been made for military action “totally”.
- There was “no doubt whatever that Saddam Hussein was developing weapons of mass destruction”, and that, when the UN inspectors “finally had to leave” in December 1998, “they made it quite clear that in their view ‘unaccounted for’ meant that he had not revealed them”.
- He had “no doubt at all” that the ISG would find “evidence of weapons of mass destruction programmes”.
- The policy of containment “was not working”. Saddam Hussein’s strategy “was to conceal the programmes, to keep the basic expertise in place and then, the moment the threat was lifted to go back to reinvigorating the programmes again”.

¹⁹¹ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq, Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm6062.

¹⁹² Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq, Further Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm6123.

¹⁹³ Liaison Committee of the House of Commons, Session 2002-2003, *Oral evidence taken before the Liaison Committee on Tuesday 8 July 2003*, Qs 146-209.

- The September dossier had stated that Saddam Hussein would engage in a programme of concealment and he (Mr Blair) believed, from the information now available, that was “precisely what he did”.
- He reiterated the validity of the intelligence in relation to the statement that Iraq had chemical and biological weapons that could be activated within 45 minutes.
- He suggested that the alternative hypothesis to the one he had set out was that Saddam Hussein had decided to get rid of the weapons but had not told anyone; he did not think that was “a very serious hypothesis”.
- He regretted that the dossier that had been produced in February had not correctly attributed the information which had been drawn from published sources; but that information was correct. The first and third parts of the dossier were based on intelligence information.
- The information in the September dossier on Iraqi attempts to procure uranium from Niger was not based on the “so-called ‘forged’ documents” seen by the IAEA, but on separate intelligence.
- The ISG should be allowed time to do its work. It would be addressing the issues “in a systematic way”, which Dr Blix “was unable to do”. “[C]hasing round trying to find the stuff” was “always going to be incredibly difficult”. The only way to “get to the truth” was “by interviewing the people involved”.

House of Commons debate on Iraq, 15 July 2003

393. On 15 July, the House of Commons rejected a second Opposition motion calling for an independent judge-led inquiry into pre-conflict intelligence.

394. In the House of Commons on 15 July, Mr Menzies Campbell asked Mr Straw:

“... does not the absence of chemical and biological weapons, the embarrassing and apparently escalating dispute between Washington and London over Niger, the failure to find SCUD missiles and the controversy over the February dossier make an irresistible case for an inquiry independent of Parliament and led by a senior judge?”¹⁹⁴

395. Mr Straw replied that “the combination of the Foreign Affairs Committee and the Intelligence and Security Committee is appropriate”.¹⁹⁵

396. An Opposition motion tabled in the House of Commons on 16 July by Mr Ancram stated:

“That this House welcomes the Ninth Report from the Foreign Affairs Committee ... but notes some reservations by Committee members that it not only had insufficient time but insufficient access to crucial documents to come to comprehensive and

¹⁹⁴ House of Commons, *Official Report*, 15 July 2003, column 158.

¹⁹⁵ House of Commons, *Official Report*, 15 July 2003, column 159.

definitive conclusions on some of the issues; further notes the recent concerns raised over intelligence material; and calls on the Government to set up a judicial inquiry finally to establish the facts of the matter.”¹⁹⁶

397. In the debate that followed, Mr Ancram stated:

“The Prime Minister and the Government have an overriding duty to be scrupulous and consistent in the way that they provide intelligence material to Parliament. Over these last months that has clearly not been the case. Two key areas exist ... the status of the evidence on weapons of mass destruction, and ... the way in which the Government have handled and made public the material.

...

“For example, there was a claim about uranium from Niger going to Iraq. The claim was stated as a fact in the September dossier but was subsequently shown to have been partially based on forged documents. There was no explanation of who forged them and why. There is no mention of CIA concerns in the Government’s response. We now have a belated explanation that there were other sources of intelligence that apparently cannot be disclosed. Even more unusually we are told such sources cannot be shared with the United States.

...

“Some will ask whether the dodgy dossier really matters. The fact that the Prime Minister misrepresented its provenance goes to the heart of the trust that Parliament can put in what he tells it is, or is not, intelligence ...

“The erosion of public confidence is gathering pace and beginning to damage the national interest ...

“There is an urgent unanswerable case for the Government to set up an independent judicial inquiry ...”¹⁹⁷

398. Mr Straw tabled the Government’s amendment.¹⁹⁸ He stated that an independent judicial inquiry, whether set up under the Tribunals of Inquiry (Evidence) Act 1921 or not, “can be frustrating for the public because of the duration and the costs involved”. It was also quite wrong to assume that such inquiries “automatically bring such issues to a close”.

399. Mr Straw concluded:

“A vote for the Opposition’s motion would be a vote of no confidence in the Intelligence and Security Committee ... It would also be a vote of no confidence in

¹⁹⁶ House of Commons, *Official Report*, 16 July 2003, column 287.

¹⁹⁷ House of Commons, *Official Report*, 16 July 2003, columns 288-293.

¹⁹⁸ House of Commons, *Official Report*, 16 July 2003, column 296.

the ability of this Parliament to have effective oversight of agencies and Ministers on intelligence matters.”¹⁹⁹

400. The Opposition motion was defeated by 299 votes to 200. The Government amendment, agreed without a further vote, stated:

“That this House ... believes that the Intelligence and Security Committee ... is the appropriate body to consider the intelligence relating to Iraq; and notes that this Committee has already begun its inquiry.”²⁰⁰

401. In response to a written question from Ms Lynne Jones (Labour) on 18 July, Mr Bill Rammell, FCO Parliamentary Under-Secretary of State, stated that the assessment that Iraq had attempted to procure uranium from Africa was based on information from the intelligence service of another Government. The UK Government could not pass it to anyone else without the express consent of the originator.²⁰¹

Uranium and Niger

In the September 2002 dossier on WMD (*Iraq's Weapons of Mass Destruction. The Assessment of the British Government*), the Government stated that “there is intelligence that Iraq has sought the supply of significant quantities of uranium from Africa”.²⁰²

In his January 2003 State of the Union address, President Bush stated: “The British Government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.”²⁰³

On 7 March 2003, Dr Mohamed ElBaradei, Director General of the IAEA, informed the UN Security Council that the documents pointing to an agreement between Niger and Iraq for the sale of uranium between 1999 and 2001 were “not authentic” and that those specific allegations were “unfounded”.²⁰⁴

In its report *The Decision to go to War in Iraq*, published in July 2003, the House of Commons Foreign Affairs Committee (FAC) stated that the assertion in the September 2002 dossier should have been qualified to “reflect the uncertainty” surrounding the evidence upon which it was based.²⁰⁵

In its response to the FAC in November 2003, the FCO stated that: “the claim in the September dossier rested on separate evidence to that judged fraudulent by the IAEA”, and that this intelligence was still under review and had not been shared with the CIA.²⁰⁶

¹⁹⁹ House of Commons, *Official Report*, 16 July 2003, column 305.

²⁰⁰ House of Commons, *Official Report*, 16 July 2003, column 346.

²⁰¹ House of Commons, *Official Report*, 18 July 2003, column 810W.

²⁰² *Iraq's Weapons of Mass Destruction. The Assessment of the British Government*, 24 September 2002, page 25.

²⁰³ The White House, 28 January 2003, *President Delivers “State of the Union”*.

²⁰⁴ UN Security Council, ‘4714th Meeting Friday 7 March 2003’ (S/PV.4714).

²⁰⁵ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq*, HC 813-1.

²⁰⁶ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq, Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm6062.

In July 2004, the Butler Report supported the FCO's claim, concluding that the report appeared "well-founded": the "intelligence was credible" that Iraq had sought to purchase uranium ore from Niger in 1999.²⁰⁷

The Iraq Survey Group found no evidence that Iraq sought uranium from abroad after 1991. It found only one offer of uranium to Baghdad after 1991, and that had been turned down because of sanctions.²⁰⁸

JIC Current Intelligence Group Assessment, 16 July 2003: 'Iraq: Prohibited Ballistic Missile Designs'

402. At the request of the JIC Sub-Committee on Iraq/WMD, a Current Intelligence Group (CIG) assessed the information on prohibited missile designs provided by senior figures in the missile programme.²⁰⁹

403. The Key Judgements were:

"I. Information that Iraq was pursuing a number of designs for prohibited ballistic missiles between 2000 and 2002 is, despite some discrepancies, credible.

"II. The missiles were designed to reach ranges between 500-600km and 900-1,000km. Initial examination indicates that the designs produced and the four to five year timeframe envisaged to reach full production appear technically credible.

"III. Senior figures in the ballistic missile programme were actively engaged in concealing this design work from UNMOVIC, both physically and in interviews with inspectors. The aim was to preserve the designs for future use.

"IV. Some of the individuals are not being entirely forthcoming on sensitive issues, such as chemical and biological warhead designs, possibl[y] out of fear of the consequences for them."

404. The Assessment stated that two consistent themes had emerged from the interviews that had been conducted so far:

- Iraq worked on a number of missile designs between late 2000 and early 2002 ... but no missile hardware was produced;
- Orders were received in mid 2002 to conceal all signs of such design work from UN weapons inspectors and these orders were carried out."

²⁰⁷ *Review of Intelligence on Weapons of Mass Destruction* ["The Butler Report"], 14 July 2004, HC 898.

²⁰⁸ Central Intelligence Agency, 30 September 2004, *The Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*, Volume II, 'Nuclear', pages 7-8.

²⁰⁹ CIG Assessment, 16 July 2003, 'Iraq: Prohibited Ballistic Missile Designs'.

405. The Assessment contained statements relating to the development of missile systems including:

- Iraq was using multiple Volga engines (the Al Samoud missile had only one engine). The missile designs were judged to be “credible”; Iraq had “previous experience with multiple engine systems”. The twin engine missile “would have had a range approaching that of the Al Hussein (650km)”, but “a much smaller payload”.
- Work had not been undertaken after early 2002.
- There was “currently no evidence to link the 380 illicitly procured Volga engines to these designs, although the number purchased was probably in excess of that required for the Al Samoud programmes”.
- Intelligence pre-conflict had indicated possible work on a long-range derivative of the SCUD missile, with a range of around 1,200km, but all those interviewed had stated that they were unaware of any continuing work on a SCUD-based system.
- There had been design work on developing the short-range Al Fatah (Ababil 100) missile.

406. The Assessment concluded that it was not clear why development of the designs for prohibited missile systems had been halted. There was a clear intent to preserve the designs for future use and UNMOVIC inspectors had been deceived during interviews. Areas for further investigation included:

- “the issue of chemical and biological warheads”;
- “the purpose of missile infrastructure such as the Al Rafah test stand”; and
- “the extent of foreign technical and material assistance”.

407. Sir John Scarlett told the Inquiry that after this Assessment:

“... there wasn’t a further formal JIC Assessment until the end of the following year, 23 December 2004, when there was a formal review of JIC judgements in 2002, which took account of the ISG final report which had been issued in October 2004.

“But in case anybody thinks that therefore the JIC wasn’t looking at it at that time, it certainly was, but it was doing it through the process of reporting from, contact with, monitoring of, participation in, through British representatives, the work of the ISG on the ground. There were regular reports coming in and then being disseminated to No.10 and to JIC members, and that is how the work of the ISG was tracked.”²¹⁰

²¹⁰ Private hearing, 5 May 2010, page 59.

The ISG builds momentum

408. On 16 July, Mr Howard reported that the ISG was now focusing its effort on debriefings and document exploitation, but that it was still “very much at the beginning” of its task.

409. Mr Howard visited the ISG in Baghdad and Qatar in the second week of July.²¹¹ He reported to Mr Scarlett that:

“A lot of emphasis is being placed on human intelligence and interviews and debriefings both of high value detainees and low ranking individuals. Another main area of effort, which is beginning to produce some results, is document and other media exploitation. Major centres for this have been set up both in Baghdad and in Qatar which bring together subject matter experts, linguists and, in the case of Baghdad, some powerful IT tools to sift what is a vast quantity of material for interesting information and leads.

“... But, it is still true to say that we are very much at the beginning of the task and the ISG has only really reached its current state of effectiveness in the last fortnight.”

410. Mr Howard provided a copy of the ISG’s four “Operating Hypotheses”:

- Iraq had an active WMD development program separate and apart from WMD production
- Iraq hid CW/BW weapons and agents, delivery systems, and WMD program information within Iraq away from sites known to the Coalition, or outside Iraq
- Iraq destroyed existing stockpiles (but likely retained a mobilization or production capability that could produce CW/BW agents and delivery systems)
- If Iraq destroyed its stockpile (or most of it), it would have taken place at remote locations or areas with no previous link to the WMD program.”

411. Mr Howard advised that, with the exception of evidence of Iraqi attempts to extend the range of anti-ship cruise missiles to 180km, there needed to be “a good deal more exploitation and investigation before a rounded picture in any of the key areas can be pulled together”.

412. Mr Howard reported that Dr Kay wanted to avoid “drip-feeding” material to London or Washington for fear of leaks and of raising expectations unjustifiably. Dr Kay was also very wary of making anything public in the near future, but was “pretty bullish” that he would have “a reasonably convincing BW package for use in public by early to mid September”. He would understand if the UK wanted to publicise the missile programme before then, but believed it would have more impact combined with something on BW or CW in September. Mr Howard agreed.

²¹¹ Minute Howard to Scarlett, 16 July 2003, ‘Iraq WMD’ attaching Paper [unattributed], [undated], ‘ISG Operating Hypotheses’.

413. Mr Howard described the main risks and obstacles facing the ISG:

- the security situation (addressed in more detail in the Box, ‘Deteriorating Security and the ISG’, later in this Section);
- an “insufficiently flexible detention policy”, which was being exploited by former regime figures to discourage people from co-operating; and
- the “lack of an immunity component to the incentives package”.

414. Mr Scarlett reported Mr Howard’s conclusions to Sir David Manning together with an outline of the draft JIC Assessment of Iraq’s prohibited missile systems.²¹²

415. Mr Scarlett advised Sir David that evidence on Iraq’s missile, nuclear and BW programmes gathered so far demonstrated “a clear policy of concealment”, including “physical and oral deception”.

416. Mr Scarlett’s minute was seen by Mr Blair.²¹³

417. Asked how the absence of evidence of WMD in Iraq was presented to Mr Blair, Sir John Scarlett told the Inquiry:

“The advice from the Cabinet Office and from the Assessments Staff and the JIC was straight down the middle. He [Mr Blair] was told what was being found and what was not being found, and he was given the best advice about the significance of what was being found and not being found ... [T]here was nothing in the advice that went from me or from the JIC ... [to indicate] that anyone was raising expectations that weren’t justified.”²¹⁴

418. In Washington on 17 July, Mr Blair told the media that he believed “with every fibre of instinct and conviction” that he was right about the threat from Iraqi WMD, but that it was important to wait for the ISG to complete its work.

419. On 17 July, Mr Blair visited Washington to deliver a speech to a joint meeting of Congress, which had awarded him the Congressional Gold Medal. He also met the Congressional leadership and, separately, President Bush (see Section 9.2).²¹⁵

420. Before the visit, the British Embassy Washington reported that the debate on Iraqi WMD in the US remained “febrile”.²¹⁶ In the face of an offensive on the issue by the Democratic Party and in the media, mutual distrust between the White House and the CIA was palpable. All the Democrat presidential candidates were raising questions about US intelligence, while other leading Democrats stepped up calls for a full Congressional investigation or an independent inquiry. Congressional Republicans were holding the line

²¹² [Minute Scarlett to Manning, 16 July 2003, ‘Iraq WMD: Update from the ISG’.](#)

²¹³ [Manuscript comment Manning, 17 July 2003, on Minute Scarlett to Manning, 16 July 2003, ‘Iraq WMD: Update from the ISG’.](#)

²¹⁴ Private hearing, 5 May 2010, page 62.

²¹⁵ Letter [Private Secretary] to Adams, 18 July 2003, ‘Prime Minister’s Visit to Washington, 17 July’.

²¹⁶ Telegram 957 Washington to FCO London, 17 July 2003, ‘Iraq WMD: Update, 16 July’.

that the search for WMD should be given time and the House and Senate Intelligence Committees allowed to work through huge quantities of intelligence provided by Mr Tenet before any decision was taken.

421. In his speech to Congress on 17 July, Mr Blair warned of the risk that “terrorism and states developing weapons of mass destruction come together”.²¹⁷ He stated:

“If we are wrong, we will have destroyed a threat that at its least is responsible for inhuman carnage and suffering.

“That is something I am confident history will forgive.

“But if our critics are wrong, if we are right, as I believe with every fibre of instinct and conviction I have that we are, and we do not act, then we will have hesitated in the face of this menace when we should have given leadership.

“That is something history will not forgive.”

422. At a joint press conference with Mr Blair, President Bush was asked whether he agreed with the suggestion in Mr Blair’s speech that he might be proved wrong about the threat from Iraqi WMD. President Bush offered three explanations for the absence of a breakthrough in the search for WMD: the “chaos” in Iraq; the effort Saddam Hussein had put into concealment; and the fact that high-level officials were only just starting to co-operate.²¹⁸

423. President Bush predicted that:

“... we will bring the weapons, and, of course, we will bring the information forward on the weapons when we find them.

“And that’ll ... end all this speculation.

...

“And we based our decisions on good, sound intelligence, and ... our people are going to find out the truth. And the truth will say that this intelligence was good intelligence; there’s no doubt in my mind.”

424. Mr Blair added:

“... if I could just correct you on one thing, I certainly did not say that I would be proved wrong. On the contrary, I said with every fibre of instinct and conviction I believe that we are right.

...

²¹⁷ *BBC News*, 17 July 2003, *Text of Blair’s speech*.

²¹⁸ *CNN.com*, [undated], *Transcript: Bush-Blair news conference*.

“The history of Saddam Hussein and weapons of mass destruction is a 12 year history, and is a history of him using the weapons and developing the weapons and concealing the weapons and not complying with the United Nations inspectors who were trying to shut down his programmes.

“And I simply say – which is why I totally agree with the President – it’s important we wait for the Iraq Survey Group to complete their work. Because the proposition that actually he was not developing such weapons and such programmes, having finally effectively got rid of them in December ’98, he then took all the problems and sanctions and action upon himself, voluntarily destroyed them but just didn’t tell anyone.

“I don’t think that’s very likely as a proposition. I really don’t.”

425. On 18 July, the body of Dr Kelly was discovered near his Oxfordshire home.²¹⁹

426. The decision to set up an investigation into Dr Kelly’s death headed by Lord Hutton is summarised in the Box below.

The death of Dr David Kelly and the Hutton Inquiry

Following the controversy surrounding the allegations by the *BBC* journalist Mr Andrew Gilligan that the September 2002 intelligence dossier had been “sexed up”, Dr David Kelly, MOD Special Adviser Counter-proliferation and Arms Control, was invited to give evidence to the House of Commons Foreign Affairs Committee on 15 July 2003 and the Intelligence and Security Committee of Parliament on 16 July.

On 18 July 2003, Dr Kelly’s body was found near his Oxfordshire home.²²⁰

Later on 18 July, Lord Hutton was asked by Lord Falconer, the Secretary of State for Constitutional Affairs, “urgently to conduct an investigation into the circumstances surrounding the death of Dr Kelly”.²²¹

Lord Hutton concluded that his Terms of Reference should include investigation of the two allegations that had drawn Dr Kelly into the controversy surrounding Mr Gilligan’s broadcasts on the *Today* programme:

“... (1) that the Government probably knew, before it decided to put it in the dossier of 24 September 2002, that the statement was wrong that the Iraqi military were able to deploy weapons of mass destruction within 45 minutes of a decision to do so and (2) that 10 Downing Street ordered the dossier to be sexed up”.²²²

²¹⁹ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247, paragraph 130.

²²⁰ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247, paragraph 130.

²²¹ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247, paragraph 1.

²²² *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247, paragraph 9.

Lord Hutton concluded that the wider issue of the reliability of the intelligence contained in the dossier did not fall within his Terms of Reference.

The Hutton Inquiry began its hearings on 11 August.²²³

The *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G.* was published on 28 January 2004. The Report's findings are addressed later in this Section.

427. On 24 July, officials advised Ministers that Dr Kay had brought new impetus to the ISG, which was now operating in a “systematic fashion”.

428. At the meeting of the AHMGIR on 24 July, the MOD reported that the ISG was now operating in a “systematic fashion” and that Dr Kay had given new impetus to its work.²²⁴ The approach was to “understand WMD programmes as whole, with particular focus on BW and the special Security Organisation”. Ministers agreed that the UK should continue to engage closely with the ISG and that the UK should be “fully consulted before any major conclusions were presented publicly”.

Revised Directive on UK military co-operation with the ISG

On 30 July, General Sir Michael Walker, Chief of the Defence Staff, issued a revised Directive for Op TELIC, superseding the version issued on 18 March and the supplementary material on the ISG issued on 18 June.²²⁵

The revised Directive included a revised strategic military objective that, for the first time, incorporated the search for WMD:

“To support the Coalition effort, within allocated resources, to stabilise Iraq, find/secure WMD, alleviate humanitarian needs, and help create the conditions for the achievement of the strategic end state.”

The Directive included instructions on co-operation with the ISG:

“The shift towards a pro-active WMD finding, evidence handling and elimination (of soft and hard components) continues and will be led by the ISG. WMD will not be located only at SSEs [locations of Sensitive Site Exploitation], we will encounter it *ad hoc*, and we will have to extend search activities beyond SSEs. WMD ‘soft’ components and particularly scientists and military experts are very important to the evidence and elimination programme and HUMINT [human intelligence] is an area where the UK contribution is highly valued ... You should note that ISG incorporates many other strands in its mission than just WMD. Your mainstream CBRN [chemical, biological, radiological and nuclear] recce assets, principally from the J[oin]t NBC Reg[imen]t will be supplemented then replaced by specialist search teams. You are

²²³ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G.* by Lord Hutton, 28 January 2004, HC 247, paragraph 6.

²²⁴ Minutes, 24 July 2003, Ad Hoc Group on Iraq Rehabilitation meeting.

²²⁵ ‘Chief of the Defence Staff Directive to the Joint Commander for Operation TELIC (Edition 3)’, 30 July 2003.

to provide support, as appropriate, to the ISG as it develops, but this must not be detrimental to the overall FP [force protection] posture adopted.”

Those instructions remained largely unchanged when the Directive was revised in December 2003.²²⁶

429. Mr Scarlett told Mr Straw’s Private Office on 24 July about a US request for the current UK assessment of the possible BW trailers to be provided to the Senate Intelligence Committee.²²⁷ The assessment would not be made public.

430. Mr Scarlett attached a one-page draft assessment for Mr Straw’s approval, cleared with DIS and SIS, which stated:

“With the information currently available we are not able to judge that these trailers are the transportable BW production system (TPS) described in intelligence.

...

“The assessment of an independent UK analyst is that these trailers have the potential, with a minor modification (addition of flexible tube), to carry out biological production ...

...

“Confirmation of the exact purpose of the trailers will require further documentary exploitation, chemical/biological analysis and reporting from personalities associated with the mobile programmes in Iraq ...

“Any final decision on the purpose of the trailers would currently be premature.”

431. On 29 July, Mr Scarlett informed Mr Straw’s Private Office that a difference of analysis about the trailers had arisen within the US intelligence community.²²⁸ Mr Scarlett reported that he had told the CIA the UK would not submit its own assessment for presentation to the Senate, pending a review of the revised position taken by another part of the US intelligence community.

432. During their conversation on Iraq on 31 July, Mr Blair and President Bush discussed Dr Kay’s progress.²²⁹ Most resources were allocated to Iraq’s BW programme. They

²²⁶ ‘Chief of the Defence Staff Directive to the Joint Commander for Operation TELIC (Edition 3)’, 19 December 2003.

²²⁷ Minute Scarlett to PS/Foreign Secretary, 24 July 2003, ‘Iraq – Submission to Senate Intelligence Committee Enquiry’ attaching Paper [unattributed], 24 July 2003, ‘UK Assessment of Possible Transportable Biological Agent Production System’.

²²⁸ Minute Scarlett to APS/Foreign Secretary, 29 July 2003, ‘Iraq: Submission to Senate Intelligence Committee Inquiry’.

²²⁹ Letter Rycroft to Adams, 31 July 2003, ‘Iraq: Prime Minister’s Conversation with Bush, 31 July’.

discussed the need for more individuals working on nuclear matters. Addressing the very large quantity of documents held was being given a lower priority.

Preparation of the ISG Interim Report

433. During August, UK and US officials began to discuss the content of Dr Kay's ISG Interim Report, scheduled for the second half of September.

434. UK officials assessed that the report "certainly would not" persuade sceptics, but might be enough to persuade others that progress was being made.

435. At the end of August, the British Embassy Washington reported that the US Government was bracing itself for a disappointing report.

436. Mr Scarlett succeeded Sir Richard Dearlove as Chief of SIS on 1 August.

437. Dr Kay and Maj Gen Dayton visited London on 5 August.²³⁰

438. On 6 August, Mr Howard sent Mr Scarlett thoughts on handling Dr Kay's first progress report, scheduled for mid to late September. It was essential that any public report was "firmly based on an honest and thorough assessment of the intelligence picture so far" and that the UK's classified assessment "matches that of the Americans exactly". Mr Howard suggested that public perceptions were "heavily skewed" by media interest in Dr Kelly and the Hutton Inquiry, and that there was likely to remain "a deep vein of scepticism" about what might be found.

439. Mr Howard added:

"... a progress report which focuses mainly on evidence of programmes and intent and is short on actual hardware is likely to provoke a mixed reaction. It certainly will not persuade the sceptics. But it may be enough to persuade the mainstream that progress is being made."

440. Mr Scarlett updated No.10 on 8 August.²³¹ He reported that Dr Kay was convinced that the ISG was making progress, but cautioned that Dr Kay had a "tendency to overstate potential leads". ISG efforts were focused on BW, but there was also progress in other areas. Developments included:

- **BW:** the ISG was developing a clearer picture of the role of the Iraqi Intelligence Service (IIS). It had concluded that the UN would not have been able to discover the full extent of Iraq's BW programme because of "the comprehensive nature of Iraq's concealment and deception policy". The 97 vials recovered from the home of a BW scientist had tested positive for traces of live type B clostridium botulinum, the cause of botulism in humans. Iraq had never declared possession of the type B strain.

²³⁰ Letter Howard to Scarlett, 6 August 2003, 'Iraqi WMD: Next Steps'.

²³¹ Minute Scarlett to Cannon, 8 August 2003, 'Iraq WMD'.

- Missile programme: evidence of proscribed liquid and solid propellant development projects that had not progressed beyond the design phase, with no evidence of production.
- CW: “some encouraging leads particularly on VX”.
- Nuclear: the ISG had discovered that in 2002 the Iraqi Atomic Energy Commission had obtained a balancing machine identified as the most important item for a centrifuge programme. This indicated that Iraq’s nuclear programme might have taken “a small but significant step forward” while sanctions were in place.

441. Mr Scarlett explained that the ISG expected to issue a classified progress report to the UK, US and Australian Governments in mid-September. It was “unlikely” the report would:

“... present conclusive proof of Iraqi possession of WMD, although General Dayton said it should provide ample evidence that Iraq was in material breach of UNSCR 1441 because of the level of deception and concealment of Iraqi WMD (eg the missile plans and the BW vials)”.

442. In a Note to No.10 officials on 16 August, Mr Blair listed three foreign policy priorities, including “Iraq/Afghanistan”.²³² On Iraq and WMD he wrote:

“As a discrete part of our strategy, the issue of WMD and Iraq as a threat must be dealt with. But this can be done. We have Hutton; we have an ISG report in September; we will be, hopefully, in a better position inside Iraq. But NS [Sir Nigel Sheinwald, successor to Sir David Manning as Mr Blair’s Foreign Policy Adviser] and team should draw up a strategy on this.”

443. On 19 August, Mr Sérgio Vieira de Mello, the UN Secretary-General’s Special Representative for Iraq, was killed in an attack on the UN headquarters in Baghdad (see Box below).²³³

Deteriorating security and the ISG

Deteriorating security in Iraq had an increasing impact on ISG operations from summer 2003.

On 13 August, the DIS reported the possibility of an emerging pattern of shootings at scientists who co-operated with the ISG.²³⁴

On 19 August, a bomb exploded outside the UN headquarters at the Canal Hotel in Baghdad, killing 22 UN staff and visitors, including Mr Sérgio Vieira de Mello, the UN Secretary-General’s Special Representative for Iraq (see Section 9.2).²³⁵

²³² Note [Blair to No.10 officials], 16 August 2003, [untitled].

²³³ Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

²³⁴ Op ROCKINGHAM Daily, 13 August 2003.

²³⁵ Report of the Independent Panel on the Safety and Security of UN Personnel in Iraq, 20 October 2003.

Lieutenant General Andrew Ridgway, Chief of Defence Intelligence, told the Chiefs of Staff on 20 August:

“Further attacks were expected. The bombing would affect coalition building, NGO confidence, and the reconstruction of utilities, which if not expedited could lead to a significant loss of consent.”²³⁶

On 26 August, the DIS reported the disruption of an ISG deployment following an attack on a nearby US military convoy.²³⁷

As security deteriorated, the US sought to transfer some of the ISG’s analysis capabilities to counter-terrorism activities.

The Op ROCKINGHAM weekly update for 21-28 August reported that Secretary Rumsfeld and US General John Abizaid, Commander CENTCOM, had indicated that they wanted some of the ISG’s HUMINT and analysis capability dedicated to counter-terrorism tasks.²³⁸

In early September, the JIC judged that:

“The security environment will remain poor, and will probably worsen over the next year, unless the Coalition, in conjunction with Iraqis, can reverse current trends. There are likely to be more spectacular attacks.”²³⁹

In October, the DIS reported two direct attacks on ISG convoys.²⁴⁰

In his memoir, Mr George Tenet, the US Director of Central Intelligence (DCI), wrote:

“A senior military officer later told me he ... was ‘flabbergasted’ ... when [in November 2003] Kay refused to lend some of the ISG’s experienced intelligence analysts to help him find insurgents ‘*that are killing us*’... Had he been a regular CIA officer, I would have relieved Kay of his command and ordered him home.”²⁴¹

Major General Tim Tyler, British Deputy Commander of the ISG from early January to late March 2004, told the Inquiry “there were lots of ... constraints on the operations and the most predominant one was the security situation”.²⁴²

444. On 21 August, the ISG was reported to be “firmly established” in Baghdad.²⁴³

The Survey Operations Centre (SOC) and Survey Analysis Centre (SAC) had completed moves to their permanent location in Baghdad. Locations of the various operational elements of the ISG included:

- Combined Media Processing Centre (CMPC): headquarters in Qatar with satellite operations conducted out of Baghdad and Erbil;
- Joint Interrogation and Debriefing Centre (JIDC): Baghdad;

²³⁶ Minutes, 20 August 2003, Chiefs of Staff meeting.

²³⁷ Op ROCKINGHAM Daily, 26 August 2003.

²³⁸ Op ROCKINGHAM Weekly No.11, 21-28 August 2003.

²³⁹ [JIC Assessment, 3 September 2003, ‘Iraq: Threats to Security’](#).

²⁴⁰ Op ROCKINGHAM Daily, 21 October 2003. Op ROCKINGHAM Daily, 30 October 2003.

²⁴¹ Tenet G & Harlow B. *At the Center of the Storm: My Years at the CIA*. HarperPress, 2007.

²⁴² Private hearing, 3 June 2010, page 12.

²⁴³ Op ROCKINGHAM Weekly No.10, 14-21 August 2003.

- Sector Control Point (SCP): Baghdad;
- Joint Captured Materiel Exploitation Centre (JCMEC): Baghdad;
- Task Force Disablement and Elimination (TF D/E): Baghdad;
- Coalition Operating Base – Irbil (COB-I); and
- Coalition Operating Base – Basra (COB-B).

445. In a note on 30 August, Mr Blair requested an immediate and longer-term Iraq strategy dealing with the situation on the ground in Iraq, how we improve it, how we improve the system for dealing with it; and WMD.²⁴⁴

446. Mr Blair added:

“... this must tie in with the way we deal with Hutton. I assume that though the judge may be critical of certain aspects of our handling, he will basically find for us. That may be optimistic. But if right, Hutton must be the chance to get our integrity back on Iraq. So whatever NS [Sir Nigel Sheinwald] does must include a timetable that incorporates: Hutton, Interim Report on WMD, improvement in Iraq, and other WMD issues (eg Iran, NK [North Korea] and Libya).”

447. Mr Straw informed Parliament on 1 September that:

“Coalition forces and specialist personnel of the Iraq Survey Group are actively pursuing sites, documentation and individuals connected with Iraq’s weapons of mass destruction programmes. We are investing significant effort in the search. The process will be painstaking.

“There have been some successes: the discovery of mobile laboratories which bear a striking resemblance to those described in US Secretary of State Colin Powell’s presentation to the UN Security Council in March 2003; and the recent recovery of a large quantity of documents relating to Iraq’s nuclear programme together with parts of a gas centrifuge which had been hidden since 1991 by an Iraqi scientist formerly engaged on Iraq’s nuclear programme. We anticipate that more scientists previously employed on Iraq’s WMD programmes will start to come forward with evidence and equipment.

“Any finds clearly must be very carefully analysed and assessed. This process is continuing. When we have collated the evidence, it will be presented appropriately and properly.”²⁴⁵

448. On 3 September, Mr Sebastian Wood, Counsellor for External Affairs at the British Embassy Washington, informed Mr Scarlett that the US Government was bracing itself for a disappointing report from Dr Kay.²⁴⁶ The Embassy was stressing to the US the

²⁴⁴ Note [Blair], 30 August 2003, [untitled].

²⁴⁵ House of Commons, *Official Report*, 1 September 2003, column 809W.

²⁴⁶ Letter Wood to Scarlett, 3 September 2003, ‘Pre-Conflict Intelligence on Iraq’.

need for careful co-ordination of public lines with the UK, but tensions between different interests in Washington meant that would be difficult. Close personal contact with Dr Rice and Mr Tenet would be important.

449. US General John Abizaid, Commander CENTCOM, called on Mr Blair on 5 September.²⁴⁷ Mr Blair commented that he had “more than a passing interest in what turned up on WMD”. Gen Abizaid reported that the ISG’s HUMINT effort was starting to tell and that there was “stuff buried all over the country”.

450. At Mr Powell’s request, Mr Scarlett updated No.10 on the search for WMD possibly concealed in Lake Qadisiyah, behind the Haditha Dam on the Euphrates.²⁴⁸ A Royal Navy team was due to arrive there on 5 September to assess the situation.

451. Mr Scarlett wrote:

“There have been a number of reports, of varying degrees of reliability, that WMD may have been concealed in lakes, reservoirs, canals and rivers by Iraqi military or security organisations. Several reports record local gossip. Certain locations feature in reports from a number of sources, some with apparently good access or with an established record of reliable reporting.”

452. The ISG completed the search of Lake Qadisiyah on 14 September.²⁴⁹ No WMD-related material was found.

JIC discussion of the draft ISG Interim Report

453. The JIC discussed the draft ISG Interim Report on 10 September. It concluded that the draft contained little that was new and that handling of the report would be vital.

454. The JIC considered a Discussion Note, ‘Iraqi WMD: The Emerging Picture’, on 10 September.²⁵⁰ The minutes recorded that the main points made were:

“a) the first progress report from the ISG contained little new. Whilst there had been some progress on missiles and a coherent story on nuclear weapons, there was still a serious lack of hard evidence on CB. There had been a lot of collusion between Iraqi former officials under questioning and clear attempts to identify the limits of our knowledge in order to calibrate the information they gave ... sources were being intimidated and fear was a big factor with those working in the CB area; and

“b) the handling of the report would be vital. It was highly desirable to avoid publishing an unclassified version, which would not only display the limits of

²⁴⁷ Letter Cannon to Adams, 5 September 2003, ‘Iraq: Prime Minister’s Conversation with General Abizaid’.

²⁴⁸ Minute Scarlett to Cannon, 5 September 2003, ‘Iraq: Underwater Concealment of WMD’.

²⁴⁹ Op ROCKINGHAM Daily, 15 September 2003.

²⁵⁰ Minutes, 10 September 2003, JIC meeting.

our current knowledge but act as a disincentive to potential sources. We should therefore ensure an authoritative discussion ... with the Allies at an early stage.”

455. Following the discussion, a small number of amendments were made to the Note, including the addition of the judgement that it was “too early to conclude that there were no [chemical and biological] programmes”.²⁵¹ An Annex to the paper stated:

“So far no chemical or biological munitions or stocks of agent have been found, nor have any Al Hussein missiles or parts. A number of high level detainees claim that these munitions and systems do not exist. However, there are serious doubts over their openness and co-operation”.

456. A number of other possible explanations as to why no munitions or systems had been found were identified, some supported by intelligence, including:

- destruction or concealment on the battlefield;
- destruction to ensure they were not discovered by UNMOVIC inspections;
- a concealment operation “so comprehensive that it did not allow for the rapid reconstitution of an effective CBW or Al Hussein missile capability”;
- a political decision-making process paralysed by the Coalition attack;
- exaggeration of Iraq’s capabilities by Iraqi opposition groups, “possibly through deliberate manipulation by the Iraqi intelligence services. UK intelligence assessments did not rely heavily on reporting from Iraqi opposition groups, but it cannot be ruled out that UK sources indirectly picked up some disinformation.”

457. The revised Note was sent to Sir Nigel Sheinwald, Sir David Manning (British Ambassador to the US) and JIC Members, by Mr Scarlett on 12 September.²⁵²

458. The JIC Sub-Committee on Iraq/WMD discussed the ISG Interim Report on 12 September. It agreed advice for Mr Straw, Mr Hoon, Sir Nigel Sheinwald and Sir Richard Dearlove to use in contacts with their US counterparts.²⁵³

459. Mr Edward Oakden, FCO Director International Security, wrote:

“The objective, self-evidently – which I underlined repeatedly at the JIC Sub-Group – is to play down Kay’s Report, making clear its interim nature: very far from the ISG’s considered assessment.”

²⁵¹ Note [JIC], [undated], ‘Iraqi WMD: The Emerging Picture – Discussion Note for the JIC Meeting 10 September 2003’.

²⁵² Minute Scarlett to Sheinwald, 12 September 2003, ‘Iraqi Survey group: interim report’ attaching Paper [unattributed], [undated], ‘Kay Report: Points to Make with US Interlocutors’ and Note [JIC], [undated], ‘Iraqi WMD: The Emerging Picture - Discussion Note for the JIC Meeting 10 September 2003’.

²⁵³ Minute Oakden to Private Secretary [FCO], 12 September 2003, ‘Iraq WMD: Handling the Interim ISG Report’.

460. After the meeting, Mr Scarlett wrote to Sir Nigel Sheinwald about the need urgently to address the handling of the ISG Interim Report once it reached Washington.²⁵⁴

461. Mr Scarlett told Sir Nigel that the ISG Interim Report was not expected to differ significantly from the UK assessment, set out in a revised Discussion Note following the JIC meeting on 10 September. Mr Scarlett identified the main points as:

- “• the working environment in Iraq has proved much more difficult than expected (poor security situation, more denial, deception and intimidation);
- the evidence so far has not shown that WMD programmes were active pre-conflict. Nor has any firm evidence emerged of Iraq possessing WMD;
- Iraq maintained an intention to restart its nuclear weapons programme when UN sanctions were lifted, and concealed equipment and documentation in support of this (much of this is already in the public domain);
- there is credible evidence confirming Iraq’s pursuit of ballistic and cruise missile programmes with ranges well in excess of the UN’s permitted limit (this will receive some publicity through *Panorama* in late September/early October);
- it is not yet possible to establish any firm picture of Iraq’s chemical and biological weapons capability. The compartmented, highly concealable, and dual-use nature of such programmes means that there are fewer firm leads to follow ... It is too early to conclude that there were no programmes, and we expect more information to become available. But this will be a long and difficult process;
- there is clear evidence that Iraq was in breach of UN Security Council Resolutions.”

462. Mr Scarlett advised that an ISG report along those lines, however interim, would raise difficult questions. That underlined the need to ensure it was handled correctly, with US and Australian agreement in advance. Mr Scarlett recommended publication of a short executive summary, with the full Interim Report being treated as a “classified stocktake for intelligence experts”. The summary should get across three “fundamental messages”:

- the Interim Report was “far from a considered final assessment”;
- the ISG was operating in a difficult security environment and after years of deception and denial by Iraq; and
- there was a good deal more work to do.

²⁵⁴ Minute Scarlett to Sheinwald, 12 September 2003, ‘Iraqi Survey group: interim report’ attaching Paper [unattributed], [undated], ‘Kay Report: Points to Make with US Interlocutors’ and Note [JIC], [undated], ‘Iraqi WMD: The Emerging Picture - Discussion Note for the JIC Meeting 10 September 2003’.

463. Mr Scarlett recommended urgent representations by Ministers and senior officials in Washington, and on diplomatic and intelligence channels in Canberra. He provided seven points to be made with US interlocutors:

- “• Essential to have handling strategy agreed in Washington, London and Canberra.
- Potentially high-profile political issue in London.
- Expect that Report will feed scepticism about Iraq’s possession of WMD.
- Main aim, therefore, to keep Report profile low and emphasise interim expert nature.
- Do not favour publishing full Report even in redacted form. It will show the limits of our knowledge and deter other[s] from coming forward. Better to offer short Executive Summary.
- Need to be ready to say this is our approach if press are alerted to arrival of draft in Washington.
- Like to send team to Washington to concert detailed handling once draft Report received.”

464. Mr Ehrman discussed the ISG with the Office of the Secretary of Defense (OSD), the State Department, the National Security Council (NSC) and the CIA in Washington on 12 September.²⁵⁵ He asked whether the Interim Report needed to be published at all and raised the difficulties UK members of the ISG were having in accessing sensitive US information. US views on publication were mixed, but Dr Kay would almost certainly have to brief Congress. The NSC thought it inevitable that parts of the Report would leak and suggested that it would be better to publish the whole document to keep leaks in context.

465. The British Embassy reported that all Mr Ehrman’s interlocutors agreed to look into the “ridiculous situation” of UK access to sensitive US information.

ISC Report, 11 September 2003: ‘Iraqi Weapons of Mass Destruction – Intelligence and Assessments’

466. The ISC report *Iraqi Weapons of Mass Destruction – Intelligence and Assessments* was published on 11 September 2003.

467. The ISC sent its report *Iraqi Weapons of Mass Destruction – Intelligence and Assessments* to Mr Blair on 9 September.²⁵⁶

²⁵⁵ Telegram 1191 Washington to FCO London, 14 September 2003, ‘Iraq: WMD: Ehrman (DG Def/Int)’s Visit to Washington, 12 September’.

²⁵⁶ Letter Taylor to Blair, 9 September 2003, [untitled].

468. The ISC called on Mr Blair in Downing Street on 11 September, before the Report was laid before Parliament.²⁵⁷ Mr John Prescott (Deputy Prime Minister), Mr Straw, Sir David Omand, Mr Scarlett and Mr Powell were also present.

469. Mr Blair told the ISC that the ISG faced serious security constraints in Iraq, but its disclosures could change the context of discussion of Iraqi WMD in the UK.

470. In the conclusions to its report, the ISC stated that:

- The September 2002 dossier had been “founded on the assessments then available”.
- It was content that the JIC had “not been subjected to political pressures”. The JIC’s independence and impartiality had “not been compromised in any way”. The dossier had not been “sexed up”.
- Use of the phrase “continued to produce chemical and biological weapons” in the foreword could have given the impression that Saddam Hussein had been actively producing chemical and biological weapons and significant amounts of agents. The dossier should have highlighted uncertainty about what had been produced and in what quantities to give a balanced view of Saddam Hussein’s chemical and biological capacity.
- The dossier should have highlighted that battlefield rather than strategic weapons were the most likely chemical and biological munitions to be used against Western forces.
- The dossier had been for public consumption, not experienced readers of intelligence. It should have highlighted that the 45 minutes claim referred to battlefield chemical and biological munitions, not to any other form of attack. That omission had allowed speculation as to the exact meaning of the claim and had been unhelpful to an understanding of the issue.
- The initial failure by the MOD to disclose that some staff had put their concerns about the dossier in writing to their line managers was “unhelpful and potentially misleading”.
- If individuals in the intelligence community wrote formally to their line managers with concerns about JIC Assessments, those concerns should be brought to the attention of the JIC Chairman.²⁵⁸

471. Sir David Omand recommended that the Government delay its formal response to the ISC report until after the conclusion of the Hutton Inquiry, in line with the approach taken with the FAC.²⁵⁹

²⁵⁷ Minute, Cannon to Prout, 11 September 2003, ‘Intelligence and Security Committee’.

²⁵⁸ Intelligence and Security Committee, September 2003, *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, Cm5972, paragraphs 106-116.

²⁵⁹ Letter Omand to Rycroft, 9 September 2003, ‘The Intelligence and Security Committee Report on Iraq’.

472. The Government response, sent in February 2004, is described later in this Section.

The ISG Interim Report, 2 October 2003

473. Sir Nigel Sheinwald discussed the ISG with Dr Rice in Washington on 14 September.²⁶⁰ After the meeting, he informed Mr Blair that the timing of the ISG Interim Report was unclear, but it was said to be detailed and long. There would be a short pause for analysis; Dr Kay would be obliged to brief Congressional Committees in private; and there would be leaks. The Report was likely to:

- confirm Iraqi deception and Iraqi intention to restart a nuclear weapons programme once sanctions were lifted;
- confirm Iraqi pursuit of ballistic and cruise missile programmes with ranges well beyond UN limits;
- provide little new information on BW or CW, “though there are some leads”.

474. Sir Nigel advised that there was a risk an Interim Report of that kind would be used to show there had been no immediate threat from Iraqi WMD. He and Dr Rice had agreed that handling should be low-key, stress the Interim Report’s preliminary nature, point out the difficulty of amassing evidence, and note that the Report showed Iraq had been in breach of UN resolutions.

475. Sir Nigel concluded:

“The idea of an Interim Report was conceived when we thought there would be more to say in the autumn. We are now stuck with it, and are not in control of its use. We can’t suppress it – its existence is too widely known. Nor did I seek to delay Kay’s Congressional meetings, or any public statement about the Report – this too would be likely to leak. But it is possible that there will be a delay anyway – to the week of 22 September, or later. And we should avoid publication of a redacted version and go, if possible, for something shorter. **Do you agree this approach?**”

476. Mr Hoon discussed the ISG with Secretary Rumsfeld on 15 September.²⁶¹ He observed that the forthcoming Interim Report “looked as though it was not going to be particularly exciting”. Mr Rumsfeld said that the process was “chugging along”, but the real issue was whether the ISG had enough people. Mr Hoon offered any further support that was needed.

477. Mr Scarlett discussed the ISG Interim Report and the UK proposals for handling it with a senior US official on 15 September.²⁶²

²⁶⁰ Minute Sheinwald to Prime Minister, 14 September 2003, ‘Visit to Washington’.

²⁶¹ Letter Williams to Rycroft, 16 September 2003, ‘The Defence Secretary’s Telephone Call with Donald Rumsfeld 15 September 2003 – Iraq’.

²⁶² Minute Scarlett to Sheinwald, 15 September 2003, ‘Iraq Survey Group: Interim Report: Update’.

478. Mr Scarlett reported to Sir Nigel Sheinwald that the US official had strongly agreed with the UK's preferred approach, but had made the point that the US and UK "could not just draft an Executive Summary as if we owned the Report". Mr Scarlett had acknowledged the point, "but repeated that the exceptional sensitivity of public presentation on this issue meant that we had to be involved".

479. Mr Blair and President Bush discussed the importance of the ISG's forthcoming Report in their video conference on 16 September.²⁶³ Mr Blair stated that Dr Kay should be able to refer to:

- the extent of Saddam's concealment operations;
- a ballistic missile programme on a far greater scale than intelligence had indicated;
- that Saddam had intended and prepared to reconstitute a nuclear programme after sanctions were lifted; and
- CW and BW programmes had been in existence as recently as the previous year.

480. On 18 September, Mr Wood reported from Washington that Mr Howard had been invited to discuss the draft ISG Interim Report at CIA Headquarters on 22 and 23 September.²⁶⁴

481. Initially, Mr Wood suggested that Mr Howard take the opportunity to call on Mr Dan Bartlett, White House Communications Director. He subsequently commented to Mr Miller that a call on Mr Bartlett:

"... needs to be weighed against the risk of Howard's visit leaking & being portrayed as a 'sexing up' exercise. May be better for us [the British Embassy] to follow up separately with Bartlett/White House."²⁶⁵

482. Mr Miller informed Mr Howard that, after consulting Sir David Manning, Mr Wood had decided it might be better if the visit did not involve meetings with the press and was kept to the intelligence community.²⁶⁶

483. On 19 September, Mr Rycroft chaired a meeting at No.10 to discuss how to handle the Interim Report.²⁶⁷ The Cabinet Office, the MOD, the FCO and SIS were represented.

²⁶³ Letter Cannon to Adams, 16 September 2003, 'Iraq: Prime Minister's video-conference with Bush, 16 September'.

²⁶⁴ Telegram JICTEL 95 Washington to JIC London, 18 September 2003, 'Iraq WMD: Kay Report'.

²⁶⁵ Manuscript comment Wood to Miller on Telegram JICTEL 95 Washington to JIC London, 18 September 2003, 'Iraq WMD: Kay Report'.

²⁶⁶ Manuscript comment Miller to Howard on Telegram JICTEL 95 Washington to JIC London, 18 September 2003, 'Iraq WMD: Kay Report'.

²⁶⁷ Minute Cannon to Watkins, 19 September 2003, 'Iraq Survey Group'.

484. Access to Dr Kay's text before its release remained a concern. The Interim Report was likely to be presented to Mr Tenet that day and Mr Howard was:

“... expected to have access to (but not copies of) the Report on Monday [22 September] in Washington, and possibly a chance on Tuesday to help draft a summary to be made public ...”

485. In the meantime, No.10 would continue to ask the White House for a copy of the Interim Report.

486. The meeting concluded that the Government's position with the media should be neither to heighten expectations nor to take a negative line in advance: “**The key question was whether the Report disclosed additional evidence that the Saddam regime had breached UNSCRs.**” Additional material would be needed on areas expected to feature in the Interim Report as breaches of UNSCRs: “ballistic missiles, nuclear programme, UAVs, botulism”. That material should be presented in a “facts-based, forensic manner”.

487. Mr Howard read the Interim Report in Washington on 22 September.²⁶⁸

488. On 24 September, Mr Howard reported to a meeting of officials in London, chaired by Mr Miller, that the aim was “to complete the drafting process by the end of the week. A copy of the full Report would be sent electronically to C.” It was likely that Dr Kay would brief the US oversight Committees the following week in private session, following which a very short public statement would be made, probably by Dr Kay and the Committee Chairs.

489. Mr Howard understood that:

“The US were keen that the approach in the three countries [UK, US and Australia] was broadly in line; there was currently no intention in the US for the Administration to lead on presenting it ... The UK and Australian preference was for a fuller executive summary to be produced which could be put in the public domain. One possibility was to make public the summary section of Kay's Report perhaps accompanied by a note of Iraqi breaches of UN resolutions (being prepared by the ISG) and evidence such as photographs of targeted locations and destruction. This approach would need to be agreed by Tenet and the White House.”²⁶⁹

490. Mr Rycroft told Mr Blair:

- The draft ISG Interim Report was “a good, thorough, professional piece of work”, which, helpfully, included a table setting out all the breaches of UN resolutions.
- The section on BW included information on the “vials etc”.

²⁶⁸ Email Howard to Miller, 23 September 2003, ‘ISG: interim report: discussions with CIA’.

²⁶⁹ Minute Church to Miller, 24 September 2003, ‘Note of a Meeting to Discuss ISG Report – 24 September 2003’.

- CW was the “thinnest area”, with a “preliminary conclusion” that there were “no current programmes of production and no ability to fill munitions at the time of military action”, but there was “more work to be done”.
- “As expected”, the nuclear section included “evidence of plans to reconstitute the programme, including research into isotope separation”.
- The section on delivery systems included “lots on missile programmes, intentions, deception etc”.
- The section on destruction and sanitation was a “new element” with “evidence of targeted looting since the end of military action”.²⁷⁰

491. On the process of publication, Mr Rycroft explained:

- The UK was “pushing” the US to see whether Dr Kay’s Congressional and public appearances could be brought forward from 9 to 8 October, to expand Dr Kay’s public remarks, and to get him to publish at least his summary.
- Australia was “helpfully, pushing for a big public presentation”.
- Efforts to press the US on those and other points were “hampered by the arms length approach the Administration are taking”.

492. Mr Rycroft added that some aspects of handling the Interim Report had been overtaken by the “Andrew Neil leak”, which Mr Blair had already discussed with Mr David Hill, Mr Campbell’s successor as Mr Blair’s Director of Communications and Strategy. The Government was saying that it was Dr Kay’s Report, the Government did not have it, and any comment was speculation on “an incomplete Interim Report”.

493. On 24 September, the *BBC* reported that a Bush Administration source had told Mr Andrew Neil, presenter of *BBC Television’s Daily Politics*, that the ISG had found no WMD in Iraq.²⁷¹

494. In a letter to Sir Nigel Sheinwald on 24 September, Sir David Manning said that he had repeated to Mr Armitage how important it was to the UK that Dr Kay stress the provisional nature of his first report.²⁷² Sir David had also explained that there was “an immediate timing issue”, with “a difficult Labour Party conference lying in wait”.

495. Sir Nigel Sheinwald spoke to Dr Rice on 25 September.²⁷³ He explained the damaging impact of the recent leak and the extent of the Prime Minister’s concern. The leak had changed the situation and the UK hoped it would be possible to bring forward Dr Kay’s testimony in order to reduce the period of uncertainty.

²⁷⁰ Minute Rycroft to Prime Minister, 24 September 2003, ‘ISG Report’.

²⁷¹ *BBC News*, 24 September 2003, ‘No WMD in Iraq’, *source claims*.

²⁷² Letter Manning to Sheinwald, 24 September 2003, ‘Conversation with Rich Armitage’.

²⁷³ Letter Sheinwald to Adams, 25 September 2003, ‘Iraq: Conversation with US National Security Adviser’.

496. Mr Wood told Mr Scarlett on 25 September that President Bush's critics were:

"... primed to portray the Kay Report as more bad news from Iraq for the Administration. Leaks will get worse next week when the Report is circulated ... The media focus will inevitably be on the failure to find weapons. The more of Kay's Report is in the public domain, the less freedom critics will have to engage in inaccurate speculation.

"There may be more bad news round the corner in Congress, where ... the Senate Intelligence Committee may be coming to the conclusion that the judgements on Iraq WMD in the US National Intelligence Estimate of October 2002 were not justified by the raw intelligence."²⁷⁴

497. SIS3 responded to No.10's request [for additional material needed before the publication of the ISG Interim Report] on 26 September. SIS recognised:

"... the need to bolster Kay's Interim Report on publication but ... the release of any of our material on the Iraqi ballistic missile programme into the public domain would give us severe difficulty. This is a matter not just of source protection in relation to individual items, but of SIS being perceived by Iraqis and others to have received material in confidence and then been involved in releasing it in raw form to the press. This could damage SIS's reputation and make it even harder, in already adverse circumstances, to induce Iraqis to reveal the hard core secrets of the former regime's WMD programmes."²⁷⁵

498. On 29 September, Mr Wood reported that:

"... despite pressing hard ... we have not been able to get any further clarity from the NSC or CIA on what the Administration plan to make publicly available of David Kay's Report or of his testimony to Congress".²⁷⁶

499. Mr Wood explained that the Iraq WMD story was "now running full-bore in the US media". Democratic sources in Congress had leaked a letter from the House Intelligence Committee to Mr Tenet arguing that the judgements on Iraqi WMD in the US National Intelligence Estimate (NIE) of October 2002 were based on outdated, fragmentary and circumstantial evidence. Mr Wood added that "the media ... understand that this is something of a bombshell, and will not let this one drop."

500. On 30 September, Mr Miller reported that the classified Interim Report would be handed to the UK later that day. US intentions on handling the unclassified text remained uncertain.²⁷⁷

²⁷⁴ Letter Wood to Scarlett, 25 September 2003, 'Iraq WMD: the Mood in Washington'.

²⁷⁵ Letter SIS3 to Cannon, 26 September 2003, 'ISG: Material Need [sic] Ahead of Publication'.

²⁷⁶ Letter Wood to Scarlett, 29 September 2003, 'Iraq WMD: Latest Developments, 29 September'.

²⁷⁷ Minute Miller to Scarlett, 30 September 2003, 'ISG interim report'.

501. The classified version of the ISG Interim Report was received in London on 30 September.

502. Before Dr Kay delivered his unclassified testimony to Congress on 2 October, Mr Rycroft sent an advance copy of the text to Mr Blair at the Labour Party Conference in Bournemouth. Mr Rycroft commented:

“There is better than expected detail in this, particularly on missiles, nuclear + BW. Even the CW section is not bad. And the Report makes clear the interim nature, + the difficulties of the WMD search”.²⁷⁸

503. Mr Rycroft asked for urgent comments from the FCO, the MOD and the Cabinet Office on a draft core script for use by the Government in response to Dr Kay’s testimony.²⁷⁹ The draft stated:

“The ISG have discovered dozens of WMD-related programme activities in breach of UNSCRs and significant amounts of equipment in Iraq concealed from the UN.

“Six things in the ISG Report:

- There was a clandestine network of laboratories and safe houses within the Iraqi Intelligence Service that contained equipment subject to UN monitoring and suitable for continuing CBW research. None of these were declared.
- They have found a prison laboratory complex, possibly used in human testing of BW agents, which Iraqi officials were explicitly told not to declare to UN inspectors.
- A vial of a strain from which botulinum can be produced was hidden in the home of an Iraqi scientist, along with ... other vials. The same scientist says he was asked to hide a further large cache of agents and refused. That cache is still missing. NB it takes just 1-10 nanograms of botulinum to kill an adult.
- ... [T]here was R and D work that paired overt work with surrogates for prohibited agents, such as anthrax and ricin. NB it takes just 1-7 micrograms of ricin to kill an adult. These are consistent with a BW programme ready for surge production.
- Iraqi scientists and senior government officials have told the ISG that Saddam remained firmly committed to acquiring nuclear weapons, and that he would have resumed nuclear weapons development as soon as the West relaxed ... Nuclear work had restarted under Dr Said.
- It is clear that Saddam ordered the development of ballistic missiles with a range up to 1,000km ... SCUD fuel production continued until at least 2001.

²⁷⁸ Manuscript comment Rycroft to Prime Minister, 2 October 2003 on Minute [unattributed], [undated], ‘To all recipients of the unclassified version of David Kay’s testimony’.

²⁷⁹ Manuscript comment Rycroft, 2 October 2003 on Paper [unattributed], [undated], ‘ISG Report’.

Iraq tried to procure missiles from North Korea with a range of 1,300km. And Iraq was continuing to develop Unmanned Aerial Vehicles with ranges over 500km.

“Even in the area of CW, where the ISG have not yet found the unaccounted for ... and other material, there is emerging evidence of Iraqi attempts to restart production, and many leads for the ISG to follow up.

“All of these are breaches of UNSCRs. Any one of them, had it been known at the time, would surely have triggered a report back to the UN Security Council and an explicit authorisation from the UNSC for the use of military force following UNSCR 1441.

“Yet this is just the tip of the iceberg:

- This is just an interim report ...
- The ISG’s working environment has been very difficult ... Some WMD personnel left Iraq during the conflict.
- Above all, there is now clear evidence of a pattern of deliberate deception and concealment, probably centrally organised ... Scientists were threatened with death to stop them talking to UN inspectors. Some are still under threat now.

“So the Kay Report is not a final reckoning of Iraq’s WMD. He concludes that we cannot say definitively either that weapon stocks do not exist or that they did exist before the war. We are not at the point where we can close the file on any of these programmes, he says. But what is clear already, after only three months, is that – at the very least – Saddam kept in place the programmes and the deception/ concealment techniques so that he could revive his chemical, biological and nuclear weapons capability when the coast was clear. The ISG’s work must go on before we can have definite answers.”

504. The Inquiry has not seen any comments from other departments.

505. Dr Kay delivered his testimony to Congress on 2 October. He described the Interim Report as a “snapshot” of the ISG’s first three months’ work.

506. Dr Kay stated that the ISG had discovered “dozens of WMD-related program activities and significant amounts of equipment that Iraq concealed from the United Nations during the inspection that began in late 2002”.

507. Dr Kay avoided drawing conclusions, but stated that Saddam Hussein “had not given up his aspirations and intentions to continue to acquire weapons of mass destruction”.

508. In his unclassified testimony to Congress on 2 October, Dr Kay emphasised that the Interim Report was a “snapshot” after the ISG’s first three months’ work.²⁸⁰ It was “far too early” to reach definitive conclusions and in some areas that goal might never be reached.

509. Dr Kay stated that the ISG had “not yet found stocks of weapons”, but nor was it “yet at the point where we can say definitively either that such weapon stocks do not exist or that they existed before the war”. Search efforts were being hindered by six main factors:

- deception and denial were built into each Iraqi WMD programme;
- there had been deliberate dispersal and destruction of material and documentation;
- looting, some of it systematic and deliberate;
- some WMD personnel had left Iraq immediately before and during the conflict;
- any weapons or material were likely to be small and difficult to find; and
- the environment in Iraq was “far from permissive”.

510. Dr Kay stated that the ISG had discovered “dozens of WMD-related program activities and significant amounts of equipment that Iraq concealed from the United Nations during the inspection that began in late 2002”, and listed examples.

511. Dr Kay explained that, although he had resisted drawing conclusions in the Interim Report, a number of things had become clearer as a result of the ISG’s work:

- Saddam Hussein “had not given up his aspirations and intentions to continue to acquire weapons of mass destruction”.
- There were “well advanced, but undeclared, ongoing activities” in the area of delivery systems that “would have resulted in the production of missiles with ranges up to 1,000km” if Operation Iraqi Freedom had not intervened.
- The ISG was confident that there had been ongoing clandestine CBW research and development activities embedded in the Iraqi Intelligence Service.

512. Discussion of the Interim Report at the JIC Sub-Committee on Iraq/WMD on 3 October focused on media coverage.²⁸¹ The response from UK defence correspondents had been encouraging and there were no plans for Mr Blair to comment publicly. The meeting judged that press interest in the UK was likely to die down.

513. The meeting concluded that there was “no benefit in producing a JIC Assessment” of the Interim Report, but a “community wide analysis” should be made through a CIG meeting.

²⁸⁰ Central Intelligence Agency, 2 October 2003, *Statement by David Kay on the Interim Progress Report on the Activities of the Iraq Survey Group (ISG)*.

²⁸¹ Minutes, 3 October 2003, JIC Sub-Committee on IRAQ/WMD meeting.

514. Mr Scarlett discussed handling of the ISG Interim Report with Mr Tenet, Mr Stephen Hadley (Deputy National Security Advisor) and others in Washington on 2 and 3 October.²⁸²

515. Mr Scarlett reiterated to all those he met:

“... the extreme political sensitivity of the issues in London and the need to bear UK political interests in mind, even when partisan and interagency tensions in Washington were high.”

516. Mr Wood reported that Dr Kay had stated publicly that he would need six to nine months’ work before he could begin to draw firm conclusions.

517. Mr Wood also commented on the tensions between senior members of the US Administration about the responsibility for inserting a reference to yellowcake into President Bush’s 2003 State of the Union speech, which provoked “public warfare” and:

“... looming over the horizon, the potentially much more serious matter of the Congressional Oversight Committees concluding after detailed review that the entire October 2002 NIE was flawed. The potential for renewed, and more serious, internecine warfare is very clear.”

518. In his memoir, Mr Tenet wrote:

“Collectively, Kay’s interim testimony was a damning portrait of deception and dissembling ... Yet in the resulting headlines, the press stressed only what Kay had *not* found. None of it, however was the ‘smoking gun’ that would justify our NIE estimates ...”²⁸³

519. On 5 October, Sir Nigel Sheinwald sent Dr Rice a Note written by Mr Blair for President Bush about their common political interest in addressing the problems related to Iraq.²⁸⁴ The Note and the wider background of the deteriorating position in Iraq are addressed in Section 9.2.

520. In relation to WMD, Mr Blair wrote that the failure to find “enough on WMD” and the losses to terrorist attacks meant the public was led to doubt whether the invasion had been:

“... worth it, or even worse is persuaded we misled them. And in the international community there is a sense of Schadenfreude ...

“We need a coherent strategy to get us back on the high ground and get the public, at home and abroad, to focus on the big picture.”

²⁸² Letter Wood to Scarlett, 3 October 2003, ‘Iraq WMD: Public handling in the months ahead’.

²⁸³ Tenet G & Harlow B. *At the Center of the Storm: My Years at the CIA*. HarperPress, 2007.

²⁸⁴ Letter Sheinwald to Rice, 5 October 2003, [untitled], attaching Note [Blair to Bush].

521. Mr Blair characterised the position as “a battle for legitimacy” which had to be won. The issue of WMD was about more than Iraq, it was a global threat. Iraq had been the “starting place”:

“... because of the history. But the reason for action was never Iraq in isolation. It was Iraq as a test case of how determined we were to confront the threat.

“My worry now is that the world thinks: well, Iraq was a tough deal, so they won’t try that again.

“I think we must be absolutely unapologetic. This is the security threat. We must deal with it. This means:

- (a) The Libya deal is really important ...
- (b) Iran and North Korea should not be put on the back burner ... We need to be, if anything, stronger on this. Not that we’re about to go to war. But that it’s only as a result of Iraq that these nations know we’re serious and we can resolve it peacefully.
- (c) A public disruption of the trade in WMD ...”

522. Mr Blair suggested that the UK and US needed a “strategic plan to re-highlight the terrorism/WMD issue”, and to:

“Get our confidence in our story back. Iraq is better without Saddam. WMD/terror remains the 21st century threat. Our global agenda is the only way to a better future not just for us but for the world. We’re not going soft on it. We’re going to be utterly determined on it, because it’s right.

“... [M]y political position is very clear. I won’t win re-election on Iraq alone. But if Iraq is wrong or people don’t get the security threat, it will be a major problem. On the other hand, if Iraq comes right and people do get the threat, my opponents will have a lot of explaining to do.”

523. In a letter on 6 October, Mr Blair wrote that he was:

“... very grateful for SIS’s remarkable contribution both to the Iraq campaign and on the complex political and diplomatic manoeuvrings which preceded it”.²⁸⁵

524. In his video conference with President Bush on 7 October, Mr Blair commented that Dr Kay’s Interim Report had been better than the UK media had anticipated.²⁸⁶

²⁸⁵ Letter Prime Minister to C, 6 October 2003, [untitled].

²⁸⁶ Letter Cannon to Adams, 7 October 2003, ‘Iraq: Prime Minister’s video-conference with President Bush, 7 October’.

Follow-up to the ISG Interim Report

525. In October, UK officials identified Iraq's CW and BW programmes as the issues needing most work. The ISG had opened up several lines of investigation on BW. There had been little progress on CW.

526. On 9 October, Mr Howard sent Mr Scarlett a paper on the future direction of the ISG, agreed with members of his WMD Task Force, suggesting that the ISG focus its effort on areas where knowledge was "most incomplete".²⁸⁷

527. Although work remained to be done on every subject, BW and CW were the most challenging. The most comprehensive areas of the Interim Report were: nuclear and long-range missile programmes; denial, deception and destruction; and procurement networks.

528. The ISG's findings on BW had opened up several lines of investigation which "should continue to be pursued with vigour". Efforts to find evidence of CW research and production had yielded little. Mr Howard suggested that it might be better "to focus on the other end of the food chain and concentrate on amassing evidence of possible deployment, or plans for deployment of CW".

529. Further work would be needed in two important supporting areas:

- encouraging sources to come forward; and
- ensuring that relevant information on Iraqi WMD generated outside Iraq was fed into the ISG.

530. Mr Howard reported that Dr Kay was hinting that "the final reckoning may not happen for another six to nine months", which was "probably realistic". He recommended striking a balance between producing further interim reports with something substantive to say and allowing the ISG to continue its work out of the public gaze. A number of "external drivers", including the *Panorama* programme on WMD, the outcome of the Hutton Inquiry and the need to make the case to Congress for additional funding for the ISG could have an impact.

531. Mr Howard also wrote that the probability that force protection and counter-terrorism would soon be given equal status with the search for WMD in the ISG's work was a "potential complicating factor". His major concern was that the ISG should be given sufficient security and logistical support to carry out the investigative work needed.

532. The JIC Sub-Committee on Iraq/WMD discussed Mr Howard's paper on 10 October.²⁸⁸ It was agreed that he should produce a version for the US and that the importance of offering immunity or amnesty to witnesses should be emphasised at the

²⁸⁷ Letter Howard to Scarlett, 9 October 2003, 'Iraq Survey Group: The Way Forward' attaching Paper DCDI, [undated], 'Iraq Survey Group: Next Steps: A note by DCDI'.

²⁸⁸ Minutes, 10 October 2003, JIC Sub-Committee on Iraq/WMD meeting.

highest level. Advice on specific examples should be sought from the ISG before the issue was put on the agenda for discussion between Mr Blair and President Bush.

House of Commons debate on Iraq, 22 October 2003

533. On 22 October, the House of Commons rejected a third Opposition motion calling for an independent judge-led inquiry into pre-conflict intelligence.

534. On 22 October, the House of Commons debated an Opposition motion to set up “a comprehensive independent judicial inquiry into the Government’s handling of the run-up to the war, of the war itself, and of its aftermath, and into the legal advice which it received”.²⁸⁹

535. The Opposition motion was defeated by 303 votes to 190.²⁹⁰ The Government amendment, adopted by 293 votes to 141, stated:

“That this house notes that the Intelligence and Security Committee ... the appropriate body to consider the intelligence relating to Iraq, and the Foreign Affairs Committee have both carried out inquiries into matters relating to the decision to go to war in Iraq; further notes that substantial oral and written evidence, by and on behalf of the Government, was provided to both inquiries; believes that there is no case for a further inquiry, including a judicial inquiry ...”²⁹¹

536. During the debate Mr Straw was asked by Mr Tony Wright (Labour) whether he still believed that the Iraqi regime had represented “a clear and present danger” to the UK. Mr Straw replied:

“Yes, I do ... It [the ISG] has done a great deal of work and found a good deal of evidence. I regret that, because of the environment in which it has been working, it has not so far been able to find more. However, nothing that it has found so far has diminished my view of the threat.”²⁹²

Impact of the transfer of ISG resources from WMD to counter-terrorism

537. The Op ROCKINGHAM daily report on 21 October stated that the ISG had aborted an exploitation mission after a convoy had been attacked twice with Improvised Explosive Devices (IEDs).²⁹³ There had been one very minor injury and three vehicles had been damaged.

²⁸⁹ House of Commons, *Official Report*, 22 October 2003, column 663.

²⁹⁰ House of Commons, *Official Report*, 22 October 2003, column 747.

²⁹¹ House of Commons, *Official Report*, 22 October 2003, columns 750-754.

²⁹² House of Commons, *Official Report*, 22 October 2003, columns 663 and 677.

²⁹³ Op ROCKINGHAM Daily, 21 October 2003.

538. Maj Gen Dayton announced during an ISG video conference on 21 October that counter-terrorism had been given equal status with WMD in the ISG's work, but that no extra US resources were being made available.²⁹⁴

539. On 22 October, Mr Howard informed the Chiefs of Staff of the ISG's decision.²⁹⁵

540. Mr Oakden reported that the UK contribution to the ISG would gradually change to include a counter-terrorism element.²⁹⁶

541. On 30 October, Op ROCKINGHAM reported another IED attack on an ISG convoy:

“Although the number of ISG missions attacked is still small, and no serious injuries have yet been sustained, the incidents do appear to be occurring more frequently.”²⁹⁷

542. Mr Howard told the JIC Sub-Committee on Iraq/WMD on 4 November that a number of US document exploitation experts, case officers and analysts were being diverted to counter-terrorism work.²⁹⁸ Maj Gen Dayton was reported to be satisfied that this could happen without damaging the WMD effort; Dr Kay was less sure. DIS would be deploying some analysts shortly “who could be applied to either target”.

543. Mr Scarlett and Mr Dowse expressed concern about an apparent loss of ISG momentum since the Interim Report. Op ROCKINGHAM reports were “very thin these days”.

544. Members of the Sub-Committee agreed that media interest had moved on from WMD, pending publication of the Hutton Report. The *BBC Panorama* report on the ISG would air on 29 November. SIS reported that the programme would focus heavily on missiles, but also show the difficult conditions under which the ISG was working.

545. On 11 November, Mr Howard reported to Mr Scarlett that the ISG's “operational tempo remains at a very high level, though some site missions have been postponed due to the increased security threat. The ISG functional teams are all continuing to conduct debriefing and site exploitation operation.”²⁹⁹ There had also been a considerable increase in the ability to exploit documents and different media formats.

546. Mr Howard added that the apparent reduction in reporting was the result of the move away from large-scale acquisition of data characteristic of the initial months of operation. Staff turnover and fatigue had also contributed. Measures were in hand to address that. The DIS had now “lowered reporting thresholds” for Op ROCKINGHAM daily and weekly reports so that they reflected better the tempo of activity.

²⁹⁴ Op ROCKINGHAM Weekly No.19, 17-23 October 2003.

²⁹⁵ Minutes, 22 October 2003, Chiefs of Staff meeting.

²⁹⁶ Minute Oakden to Chatterton Dickson, 22 October 2003, ‘Chiefs of Staff: 22 October: Iraq’.

²⁹⁷ Op ROCKINGHAM Daily, 30 October 2003.

²⁹⁸ Minute Dowse to Ehrman, 4 November 2003, ‘Iraqi WMD: JIC Sub-Group, 4 November’.

²⁹⁹ Letter Howard to Scarlett, 11 November 2003, ‘Iraq: WMD: ISG Progress’.

547. On 10 November, Sir Nigel Sheinwald informed Mr Blair that Dr Kay expected to report to Congress again in February or March 2004. Dr Kay hoped to have more evidence of WMD programmes, but expected the basic story to be unchanged.

548. During a meeting with Sir Nigel Sheinwald in Baghdad on 8 November, Dr Kay said that the ISG had uncovered more material since the Interim Report:

- evidence of development of a ceramic warhead for CW use in 2001;
- details of the movement of suspect items to Syria immediately before the war;
- work on the stability of CW precursor agents between July 2002 and January 2003;
- laboratory testing of advanced chemical agents; and
- an anthrax stimulant production line “up to the outbreak of war”.³⁰⁰

549. Dr Kay was reported to have criticised Coalition handling of detainees. Many had been debriefed for tactical information only and there was a severe shortage of trained interrogators.

550. Dr Kay envisaged that, by June 2004, the ISG would have about 80 percent of the picture on Iraqi WMD. At that point, it might be appropriate to reconsider its role. He did not want it to have an open-ended, diminishing role, or to see it refocused on other tasks. By June 2004, he would also expect Iraq to perceive the ISG as very intrusive.

551. As part of his wider report on his visit to Iraq (see Section 9.2), Sir Nigel Sheinwald told Mr Blair that Dr Kay expected to report to Congress again in February or March 2004.³⁰¹ Dr Kay hoped to have further specific evidence of WMD programmes, but the basic story would be unchanged. Sir Nigel had told Dr Kay that, if there was a further interim report, better handling would be needed: “a proper strategy with the key points identified in advance so that we were not put on the back foot by leaks”.

552. Sir Nigel asked Mr Blair whether there was anything else he wanted said to Dr Kay or the CIA. Mr Blair replied:

“Just keep me informed as to what he’s finding; & surely we must now know what happened to WMD. What do our pre-war contacts say?”³⁰²

553. Mr Scarlett informed Sir Nigel on 17 November that he had asked the DIS to review the new material described by Dr Kay in his meeting with Sir Nigel Sheinwald.³⁰³ The DIS had concluded, “not for the first time, Kay may have talked up some of the

³⁰⁰ Letter Cannon to Scarlett, 10 November 2003, ‘Iraq: Iraq Survey Group: Sir Nigel Sheinwald’s Meeting with David Kay’.

³⁰¹ [Minute Sheinwald to Prime Minister, 10 November 2003, ‘Visit to Iraq’.](#)

³⁰² [Manuscript comment Blair on Minute Sheinwald to Prime Minister, 10 November 2003, ‘Visit to Iraq’.](#)

³⁰³ Minute Scarlett to Sheinwald, 17 November 2003, ‘Lunch with David Kay’.

current ISG lines of enquiry". The DIS had not been able immediately to substantiate the areas highlighted by Dr Kay. They should be treated with caution.

554. At its meeting on 28 November, the JIC Sub-Committee on Iraq/WMD concluded that the *BBC Panorama* programme, broadcast on 23 November, "had presented a fairly balanced view of the current state of ISG investigations. It suggested that some progress had been made, but concluded that the jury was still out on the question of Iraqi WMD."³⁰⁴

Government responses to the FAC

555. In November 2003, the FCO sent its initial response to the FAC report *The Decision to go to War in Iraq*, which had been published on 7 July and is described earlier in this Section.³⁰⁵

556. The FCO stated that several judgements in the September 2002 dossier had been borne out by subsequent UNMOVIC inspections and the work of the ISG. They included:

- Iraq's programme to extend the range of the Al Samoud missile;
- Iraq's programme to produce even longer-range missiles;
- concealment of documents at the homes of personnel associated with WMD programmes;
- undeclared UAV capabilities;
- a dual-use capability, "to a greater or lesser extent", at most of the sites listed in the dossier and visited by UNMOVIC;
- evidence presented in the ISG Interim Report of viable seed stocks of clostridium botulinum organisms and covert laboratories working on assassination techniques using WMD-related materials; and
- ISG reporting of systematic Iraqi concealment of nuclear weapons-related materials, personnel and capabilities.

557. Separately, in September 2003, the FCO had sent an initial response to the FAC's 15 July 2003 report *Foreign Policy Aspects of the War Against Terrorism*, in which it listed key lessons from weapons inspections in Iraq and the UK's own BW practice challenge inspection programme.³⁰⁶ Those included "the critical importance of interviews for effective inspections" and "the need to keep in mind ... sites that could be misused to produce, modify, test and store BW delivery systems".

³⁰⁴ Minutes, 28 November 2003, JIC Sub-Committee on Iraq/WMD meeting.

³⁰⁵ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq, Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm6062.

³⁰⁶ Tenth Report from the Foreign Affairs Committee, Session 2002-2003, *Foreign Policy Aspects of the War Against Terrorism, Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm5968.

558. On 19 November, Mr Donald Anderson, Chairman of the FAC, asked Mr Straw for answers to a number of questions arising from the Government's response to the 15 July report, including on lessons learned from the ISG.³⁰⁷

559. On WMD, Mr Anderson wrote:

“... the Committee asked that the Government set out in detail the lessons that can be learnt from the experience of UN weapons inspections in Iraq for the future monitoring of BW programmes. The Committee now requests a memorandum setting out the lessons learnt from the Iraq Survey Group. It also wishes to learn how the past year's weapons inspections process will contribute to developing policy towards monitoring and addressing the threat of WMD from Iran, Syria and other states of concern.”

560. FCO officials recommended that Mr Straw inform Mr Anderson that, in relation to the ISG, it would not be appropriate to divert resources from an ongoing operation or to try to present lessons learned from an incomplete process.³⁰⁸

561. In his response to Mr Anderson on 2 December, Mr Straw stated:

“The Iraq Survey Group is part of an ongoing operation. I do not believe it would be appropriate at this stage to divert resources away from the ISG's operational role or to attempt to present lessons learned from an incomplete process.

“Her Majesty's Government ... has not been given access to UNMOVIC's records ... It is not, therefore, possible to carry out any full analysis of what lessons have been learned. The UK has ... encouraged UNMOVIC to carry out such an exercise. If UNMOVIC does conduct an analysis, it is by no means certain that we would have access to the results.

“What has become clear from the experience of weapons inspections in Iraq since 1991 is the need for intrusive inspection regimes to generate confidence that no illegal activities are taking place.”³⁰⁹

The transition from Dr Kay to Mr Duelfer

562. In December 2003, Dr Kay was reported to be considering leaving the ISG. His departure was confirmed in January 2004.

³⁰⁷ Letter Anderson to Straw, 19 November 2003, 'Foreign Policy Aspects of the War Against Terrorism'.

³⁰⁸ Minute Peters to PS [FCO], 27 November 2003, 'Further letter from the FAC: lessons learned from WMD inspections' attaching Letter [draft], [untitled].

³⁰⁹ Second Report from the Foreign Affairs Committee, Session 2003-2004, *Foreign Policy Aspects of the War Against Terrorism*, HC 81, Ev 23.

563. At the beginning of December, UK officials learned from their US counterparts that Dr Kay was considering not returning to Iraq after his visit to the US in the second week of December.³¹⁰

564. Mr Scarlett told Sir Nigel Sheinwald that the reasons were not clear, but Dr Kay was reported to have objected strongly to the transfer of some of the ISG's resources from WMD to work on the security situation and to be concerned about the difficulty and danger of ISG activity in Iraq.

565. On 5 December, Mr Scarlett reported that Sir Richard Dearlove had been told that Dr Kay's departure was not certain and that, if he did go, there would be "a heavyweight replacement".³¹¹ Sir Richard had also received confirmation that there would be no reduction in resources devoted to the ISG's WMD work and the job would be done thoroughly.

566. Sir Nigel Sheinwald commented to Mr Blair on 8 December:

"... it now seems that Kay has to be persuaded to stay on. It seems unlikely that he'll stay, as planned, until next summer."³¹²

567. Mr Howard discussed the ISG with Mr John McLaughlin, Deputy Director for Central Intelligence, in Washington on 11 December.³¹³ Mr Howard said that he was "scouring the barrel" to meet a request from Mr McLaughlin to find more people for the ISG. The UK would be able to supply an additional four former UN inspectors with BW expertise and was looking to see if it could provide more good analysts. The principal UK BW experts could not be spared full-time, but could continue to deploy to the ISG in short bursts. Mr Howard suggested that better use could be made of the UK mobile laboratory.

568. Mr Howard also reiterated that the UK would need "full consultation on timing, content and presentation of any interim report".

569. On 15 December, Mr Cannon sent Mr Blair a list of "key points" from the ISG Interim Report for use at PMQs.³¹⁴ It largely repeated the draft core script sent out by Mr Rycroft on 2 October. The key additions, taken from the Interim Report, were:

- *"Two key former BW scientists confirmed that Iraq under the guise of legitimate activity developed refinements of processes and products relevant to BW agents. The scientists discussed the development of improved, simplified fermentation and spray drying capabilities for the stimulant Bt [Bacillus*

³¹⁰ Minute Scarlett to Sheinwald, 3 December 2003, 'David Kay'.

³¹¹ Minute Scarlett to Sheinwald, 5 December 2003, 'David Kay'.

³¹² Manuscript comment Sheinwald to Prime Minister, 8 December 2003 on Minute Scarlett to Sheinwald, 5 December 2003, 'David Kay'.

³¹³ Telegram JICTEL 122 Washington to JIC London, 12 December 2003, 'ISG and UK/US intelligence co-operation in Iraq'.

³¹⁴ Minute Cannon to Prime Minister, 15 December 2003, 'Iraq: Key Points from the ISG Report'.

Thurengiensis] *that would have been directly applicable to anthrax, and one scientist confirmed that the production line for Bt could be switched to produce anthrax in one week if the seed stock were available.*"

- Sufficient evidence had been discovered *"to conclude that the Iraqi regime was committed to delivery system improvements that would have, if Operation Iraqi Freedom had not occurred, dramatically breached UN restrictions ... in 2000 Saddam ordered the development of ballistic missiles with ranges of at least 400km and up to 1,000km and that measures to conceal these projects from UNMOVIC were initiated in late 2002 ... several sources contend that Saddam's range requirements for the missiles grew from 400-500km in 2000 to 600-1,000km in 2002."*
- The ISG had found documents describing *"a high level dialogue between Iraq and North Korea that began in December 1999 and included an October 2000 meeting in Baghdad. These documents indicate Iraqi interest in the transfer of technology for surface-to-surface missiles with a range of 1,300km ... and land-to-sea missiles with a range of 300km. The documents quote the North Koreans as understanding the limitations imposed by the UN, but being prepared 'to co-operate with Iraq on the items it specified'."*
- *"Even in the area of CW ... there is evidence of Iraqi interest in restarting production."*
- *"Dr Kay told the press that one scientist was 'assassinated literally hours after meeting' an ISG member, killed by a single shot to the back of his head outside his apartment."*

570. The paper appears not to have been shown to Mr Blair.³¹⁵

571. In an interview with the *British Forces Broadcasting Service (BFBS)*, reported in the media on 16 December, Mr Blair stated:

*"... the Iraq Survey Group has already found massive evidence of a huge system of clandestine laboratories, workings by scientists, plans to develop long range ballistic missiles. Now frankly, these things weren't being developed unless they were developed for a purpose ..."*³¹⁶

572. On 18 December, *The Washington Post* reported that US Government officials had confirmed that Dr Kay intended to leave the ISG before it completed its work.³¹⁷ The newspaper also reported: *"The insurgency has forced the Pentagon to divert personnel from Kay's team to help commanders identify and question insurgents."*

³¹⁵ Manuscript comment Rycroft on Minute Cannon to Prime Minister, 15 December 2003, 'Iraq: Key Points from the ISG Report'.

³¹⁶ *BBC News*, 16 December 2003, *Blair's appeal to Saddam's men*.

³¹⁷ *The Washington Post*, 18 December 2003, *Kay Plans To Leave Search for Iraqi Arms*.

573. Brigadier Garry Robison, Brig Deverell's successor as ISG Deputy Commander, reported on 7 January 2004 that the preparation of cases against High Value Detainees (HVDs) for the forthcoming human rights tribunal had not yet had a direct impact on the ISG, but had the potential to do so.³¹⁸ Rules preventing UK ISG personnel from direct involvement in the preparation of evidence and testimony for the tribunal were well understood.

574. Mr Scarlett informed No.10 on 7 January that the US had confirmed that Dr Kay would be leaving the ISG "probably by the end of next week".³¹⁹

575. In January 2004, in the absence of compelling finds in Iraq, the Government sought to emphasise the impact of military action in Iraq on wider counter-proliferation efforts.

576. On 11 January, Mr Blair was asked by Sir David Frost on *BBC Television's Breakfast with Frost* whether he should apologise for apparently being wrong about WMD in Iraq. Mr Blair replied: "What they've [the ISG] found already is a whole raft of evidence about clandestine operations that should have been disclosed to the United Nations."³²⁰

577. Pressed by Sir David Frost on the absence of weapons, Mr Blair said: "there is ... something bizarre about the idea that Saddam had these weapons, got rid of them and then never disclosed the fact that he got rid of them."

578. Asked if he thought there was still a chance that WMD would be found, Mr Blair replied:

"I believe that we will but I agree ... there were many people who thought we were going to find this during the course of the actual operation ... In a land mass twice the size of the UK it may well not be surprising that you don't find where this stuff is hidden because part of the intelligence was that it was hidden and concealed. But you know we just have to wait and see."

579. On 13 January, Mr Scarlett told No.10 that Dr Kay's departure had been delayed "to distance it from a spate of critical WMD articles in last week's US media".³²¹ Mr Scarlett reported that draft US press lines focused on three points:

- The departure does not mean Kay has concluded that no weapons will be found.
- The ISG has more work to do on WMD.
- Ideally, Kay would have preferred ISG resources not to be diverted (as to some extent they have been) to counter terrorism ..."

³¹⁸ Minute Robison to PS/CDI, 7 January 2004, 'Iraq Survey Group Sitrep Number 12'.

³¹⁹ Minute Scarlett to Rycroft, 7 January 2004, 'Departure of David Kay'.

³²⁰ *BBC TV*, 11 January 2004, *Breakfast with Frost*.

³²¹ Minute Scarlett to Cannon, 13 January 2004, 'Departure of David Kay'.

580. Mr Blair and President Bush discussed Dr Kay's departure in their video conference on 14 January.³²² Mr Blair said that Dr Kay's departure would have an impact in the UK media. He hoped the CIA would work with the UK on handling.

581. In a Cabinet discussion of the situation in Iraq on 15 January, a number of points were made on WMD, including that:

- Public opinion continued to focus on the absence of WMD discovered in Iraq, while the broader counter-proliferation story was inadequately covered.
- The report by Dr Blix in early 2003 (the "clusters" document of 6 March, see Section 3.7) had provided 173 pages of material about Iraq's WMD programme, including 10,000 litres of anthrax unaccounted for. There was a "strong presumption of its continued existence".
- The counter-proliferation progress in other countries, and "Libya in particular" was "dramatic". The military action in Iraq had had a "hugely beneficial effect on the international climate, but this was insufficiently recognised at home".³²³

582. Mr Blair concluded that the counter-proliferation successes which had been registered since the invasion of Iraq were "considerable and he hoped that there would be further developments in the next few weeks. The Government's supporters need to be briefed accordingly."

583. On 16 January, Mr Scarlett informed No.10 of the dates of a series of US Congressional hearings in February and March relevant to Iraqi WMD.³²⁴ Potentially the most controversial was Mr Tenet's appearance on 4 March at a closed session of the Senate Intelligence Committee on pre-conflict Iraq-related intelligence, and there would almost certainly be an open session. It would be important to stay in contact with US briefing plans.

584. In his State of the Union address on 20 January, President Bush reported that:

"We're seeking all the facts. Already the Kay report [the ISG Interim Report] identified dozens of weapons of mass destruction-related program activities and significant amounts of equipment that Iraq concealed from the United Nations. Had we failed to act, the dictator's weapons of mass destruction programs would continue to this day. Had we failed to act, Security Council resolutions on Iraq would have been revealed as empty threats, weakening the United Nations and encouraging defiance by dictators around the world."³²⁵

³²² Letter Cannon to Adams, 14 January 2004, 'Iraq: Prime Minister's Video-conference with President Bush, 14 January 2004'.

³²³ Cabinet Conclusions, 15 January 2004.

³²⁴ Minute Scarlett to Rycroft, 16 January 2004, 'Iraq WMD: US Congressional Hearings'.

³²⁵ The White House, 20 January 2004, *State of the Union Address*.

585. In January, with no timetable for the publication of the next ISG report, Mr Howard proposed a number of options. He recommended that the best approach might be to draw a line under the issue of WMD by summer 2004.

586. On 21 January, after visiting the ISG in Qatar, Baghdad and Basra, Mr Howard reported “a sense of uncertainty and lack of strategic direction” at the ISG headquarters in Baghdad: Dr Kay’s successor had not been identified; the timing of future ISG reports was not known; and there was continuing debate about the extent of the ISG contribution on counter-terrorism.³²⁶ Security remained an issue, but ISG staff morale seemed high and people were working “incredibly hard”.

587. Mr Howard assessed that, despite the good work being done, the overall picture was not fundamentally different to that described in the Interim Report.

588. On the future of the ISG, Mr Howard suggested that the right option might be to draw a line under the issue of Iraqi WMD by summer 2004. There was no guarantee that the new Iraqi Government would be prepared to allow the ISG to continue after it took office and there was a possibility that the ISG’s final analysis would look like the Interim Report: clear Iraqi intent to preserve and conceal an ability to reconstitute programmes, but no operational or current production capability.

589. Mr Howard identified three options for the next ISG report:

- a single, final report around June;
- the major substantive report in March or April, with loose ends tied up in June or July; or
- a low-key report focused on context and operating environment in March, with a substantive report in June.

590. On 22 January, Mr Scarlett produced a summary of the ISG’s findings and possible points for Mr Blair to make in public.

591. Mr Scarlett sent No.10 a paper summarising the “current understanding” of the ISG’s findings on 22 January.³²⁷ The paper had been prepared within the Assessments Staff, in consultation with Mr Howard, but it had been given a limited distribution. It was not the result of a full JIC Assessment and had not been considered by a CIG.

592. The paper summarised what had been found, what remained to be done and questions raised by the ISG’s work:

³²⁶ Letter Howard to Scarlett, 21 January 2004, ‘Iraq WMD: Visit to Iraq Survey Group: 16-19 January’.

³²⁷ Minute Scarlett to Rycroft, 22 January 2004, ‘Iraq: WMD’ attaching Paper [unattributed], 22 January 2004, ‘Iraq: WMD’.

“What has been established?”**“Nuclear Programmes**

“The ISG have found documents and equipment, related to Iraq’s pre-1991 nuclear programme ... not declared to the UN/IAEA ... Iraqi scientists and senior officials have stated that Saddam intended to reconstitute such a programme once sanctions were lifted. There is no evidence however, that Saddam explicitly ordered that research activity should continue for this specific purpose.

“Chemical and biological weapons

“The ISG have found documents and equipment at 13 undeclared laboratories and facilities ... There is no clear evidence of a link to a military programme.

“... Legitimate work on biopesticides and other BW stimulants meant that expertise and production techniques ... were maintained ...

“The exact purpose of the two trailers discovered by the ISG in May 2003 has yet to be determined ...

“Delivery systems

“... ISG have found substantial evidence of research and design work on longer range delivery systems (up to 1,000km range), and of substantial illegal procurement for all aspects of Iraq’s missile programme ...

“Concealment and destruction

“Iraq had failed to declare its programmes and equipment to the UN, and to comply with its obligations under successive UNSCRs ...

“In addition ... the ISG have found substantial evidence of the targeted destruction of documents, equipment and computer files ...

“What is still to be done?”

“... We do not have a complete picture; the ISG continues with its work despite the difficult operational environment ...

“What has not been established?”

“The ISG have not found chemical or biological weapons, agents or precursors in militarily significant quantities, nor any long range missiles. They cannot confirm the existence of active programmes for the development or production of chemical or biological weapons, or of steps to reconstitute the nuclear programme, after 1998. They have found nothing to substantiate the repeated reports that WMD was moved from Iraq into Syria, either before UNMOVIC arrived or immediately before, during and after the conflict.

What major questions does this raise?

- Why is the account ... different from the intelligence picture before the conflict, which was broadly agreed by virtually all Western Governments ...?
- Why did the Iraqi regime undertake such an extensive programme of concealment and deception at the UN? What were they trying to conceal and what did they destroy?
- Why, when UNMOVIC returned to Iraq in 2002, were so many obstacles placed in its way ...?
- Was Saddam's key aim ... to preserve the capability to reconstitute his programmes rapidly once UN sanctions were lifted ...?
- ... Did the fear of appearing weak drive Saddam's continuing denial and deception of the international community?
- Did Saddam, his colleagues and senior officials believe their own disinformation?"

593. Mr Scarlett suggested a list of points Mr Blair could make in public:

- The ISG had not so far found chemical or biological weapons or "evidence of the continued production of such weapons, or that the nuclear weapons programme was being reconstituted".
- It had found "evidence of efforts to maintain BW and nuclear capabilities".
- There was a "lot of evidence of planning and design work for missiles well beyond the permitted range".
- The ISG had "also found evidence that equipment and documentation were destroyed – including to deceive the UN inspectors in the final period before the conflict – and that Iraq failed to declare activities or otherwise comply with Security Council resolutions".
- The ISG had a lot of work still to do.

594. Those points raised "some big questions including":

- "What was Saddam trying to conceal and why did he take such risks to do it? ... Why did the regime continue to obstruct and defy the inspectors right up to the last minute?"
- Was Saddam Hussein trying to preserve his capabilities and programmes while trying to get sanctions lifted as quickly as possible?
- Were Saddam Hussein and the Iraqi leadership properly informed about the state of their WMD facilities? Were they being told the truth by their subordinates?
- Why does what we have found (or not found) differ from the assessments of Iraq's WMD capabilities accepted by most major Governments and many reputable institutes pre-conflict?"

595. Mr Scarlett wrote that, if asked whether the UK was still confident that weapons would be found, the answer could be: “a lot of work has been going on, there is a lot of work still to do, and a lot of questions still to answer. We do not know how it will turn out in the end.”

596. If asked whether the Government stood by the intelligence assessment in the September 2002 dossier, the answer could be: “we stand by the dossier as our best assessment on the information available at the time. Since September 2002 a great deal has happened. Again, we do not know what the ISG’s eventual assessment will be.”

597. Mr Scarlett described the purpose of the points offered as “a way of looking ahead to the future”, building on Mr Blair’s comments in his interview with Sir David Frost on 11 January. If they were to be used, the UK “must warn the Americans first”.

598. Mr Rycroft described Mr Scarlett’s note to Mr Blair as:

“The first draft of a narrative on WMD to move our position on slightly, by floating possible explanations for the lack of WMD found so far, through questions rather than assertions.”³²⁸

599. In relation to Mr Scarlett’s point that the assessments pre-conflict had been accepted by most major governments, Mr Rycroft drew Mr Blair’s attention to the provisions of resolution 1441 (2002), which had included:

“Recognising the threat Iraq’s non-compliance with Council resolutions and proliferation of WMD + long range missiles poses to international peace + security”.

600. On 23 January, Mr Tenet announced Dr Kay’s resignation and the appointment of Mr Charles Duelfer, who had been Deputy Executive Chairman of UNSCOM from 1993 to 2000, as the new Head of the ISG.³²⁹

601. Mr Tenet wrote in his memoir that he continued to defend the independence of the ISG under Mr Duelfer: “My guidance to Duelfer – just like my guidance to Kay – and to everyone in the ISG was simply to go out and find the truth.”³³⁰

602. Mr Duelfer wrote that Mr Tenet “made good on his commitment” and instructed that the ISG should not be seeking to justify the NIE.³³¹

603. In late January, the Government highlighted to the US the sensitivity in the UK of public comments in the US about the apparent absence of WMD in Iraq.

604. UK officials suggested that the two countries should keep in close step over their responses to calls for public inquiries into pre-conflict intelligence.

³²⁸ Manuscript comment Rycroft to Prime Minister on Minute Scarlett to Rycroft, 22 January 2004, ‘Iraq: WMD’.

³²⁹ CIA News & Information, 23 January 2004, *DCI Announces Duelfer to Succeed Kay as Special Advisor*.

³³⁰ Tenet G & Harlow B. *At the Center of the Storm: My Years at the CIA*. HarperPress, 2007.

³³¹ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

605. Dr Kay gave a number of briefings to US media before his testimony to the Senate Armed Services Committee on 28 January.

606. In an interview for *Reuters* shortly after his resignation, widely reported in the UK media, Dr Kay stated:

“I don’t think they [WMD] existed. What everyone was talking about is stockpiles produced after the end of the last Gulf War and I don’t think there was a large-scale production program in the nineties.”³³²

607. The UK media also gave extensive coverage to comments by Secretary Powell on 24 January, including that it was an “open question” whether Iraq held any stocks of WMD.³³³

608. Speaking on *BBC Television’s Breakfast with Frost*, Mr Kennedy said:

“The more that we see the absence of weapons of mass destruction, the more we see both the Prime Minister and the President of the United States qualify what it is that the Iraq Survey Group may or may not uncover.”³³⁴

609. Mr Rycroft spoke to the White House to underline the difficulties Secretary Powell’s comments were causing in the UK.³³⁵ Dr Rice urged that, as soon as possible, all public comments should refer back to resolution 1441: Saddam Hussein had WMD, had used them in the past and had obligations to destroy them. Resolution 1441 had given him a final opportunity to comply with his international obligations, which he had failed to take.

610. In an interview for *The New York Times* published on 25 January, Dr Kay said that Iraq had been “a dangerous place” with the ability to produce WMD, terrorist groups “passing through” and no central control.³³⁶ But the CIA had missed signs of the “chaos” in the Iraqi regime that had corrupted Iraq’s weapons capabilities. Iraqi scientists and documents had revealed that Iraq had also been far more concerned about UN inspections than Washington had ever realised.

611. Mr Rycroft discussed Iraqi WMD with Mr Hadley on 26 January.³³⁷ Mr Rycroft set out the timetable for the Hutton Inquiry and “underlined the sensitivities of any US public comments particularly during this period”. The US and UK should keep in “very close step” over their responses to growing calls in both countries for full public inquiries into

³³² *BBC News*, 24 January 2004, *US chief Iraq arms expert quit*; *The Guardian*, 24 January 2004, *New WMD blow for Blair*.

³³³ *BBC News*, 25 January 2004, *Powell casts doubt on Iraq WMDs*.

³³⁴ *BBC News*, 25 January 2004, *Blair stands firm over WMD*.

³³⁵ Letter Rycroft to Adams, 25 January 2004, ‘Iraq: WMD: Conversation with Rice, Hadley, Bartlett, Fried, 24 January’.

³³⁶ *The New York Times*, 25 January 2004, *The Struggle for Iraq: Intelligence; Ex-Inspector Says CIA Missed Disarray in Iraqi Arms Program*.

³³⁷ Letter Rycroft to Adams, 26 January 2004, ‘Iraqi WMD: Conversation with Hadley’.

the intelligence leading up to the war. The UK would continue to argue that, after the FAC, ISC and Hutton inquiries, another was unnecessary.

612. Mr Scarlett discussed Dr Kay's statements with a senior US official later on 26 January.³³⁸ He reported to No.10 that Dr Kay's comments might make Mr Tenet's appearance before the Senate Intelligence Committee in early March more difficult. Mr Tenet was therefore considering a statement of his own on the intelligence underlying the NIE.

613. Mr Scarlett also reported that he had been told Mr Duelfer might pass through London on his way to Baghdad in about a week, and that it looked likely that there would be an interim ISG report in late March or early April.

614. Under the headline "Bush Backs Away From His Claims About Iraq Arms", *The New York Times* reported on 27 January that, now Dr Kay was suggesting Iraq's WMD had been disposed of before the invasion, President Bush had declined to repeat his earlier claims that WMD would be found.³³⁹

615. Reporting on the public debate in the US on 27 January, Sir David Manning wrote:

"Kay is briefing the media extensively. His main theme is that, although the Administration have acted with integrity and were correct to invade Iraq, there has been a major intelligence failure on Iraq WMD."³⁴⁰

616. Sir David observed that President Bush's public line had become "a little more nuanced", leading the press to claim the White House was "in retreat". Sir David reported that on 27 January:

"Bush was sounding a bit less bullish and a bit more nuanced ('I think it's very important for us [the US Administration] to let the Iraq Survey Group do its work so we can find out the facts and compare the facts to what was thought ... [T]here is no doubt in my mind that Saddam Hussein was a grave and gathering threat to America and the world')."

617. Sir David concluded:

"From the point of view of a White House political strategist, Kay's line looks probably not too unhelpful: it is lowering public expectations of future WMD finds, increasing the pressure for this issue to be brought to closure before the election season gets going in earnest after Easter, and placing the blame for any false prospectus for war firmly with the intelligence agencies rather than with the Administration."

³³⁸ Letter Scarlett to Rycroft, 26 January 2004, 'Iraqi WMD: Conversation with [CIA]'.

³³⁹ *The New York Times*, 28 January 2004, *Bush Backs Away From His Claims About Iraq Arms*.

³⁴⁰ Telegram 125 Washington to FCO London, 27 January 2004, 'Iraq WMD: US Public Debate, 27 January'.

Dr Kay's evidence to the Senate Armed Services Committee, 28 January 2004

618. On 28 January, Dr Kay gave evidence to the Senate Armed Services Committee.³⁴¹ In his opening remarks, he stated:

“A great deal has been accomplished by the [ISG] team ... I think it important that it goes on and it is allowed to reach its full conclusion. In fact, I really believe it ought to be better resourced and totally focused on WMD ...

“But I also believe that it is time to begin the fundamental analysis of how we got here ...

“It turns out that we were all wrong, probably in my judgement, and that is most disturbing ...

“In my judgement ... Iraq was in clear violation of the terms of resolution 1441...

“We have discovered hundreds of cases, based on both documents, physical evidence and the testimony of Iraqis, of activities that were prohibited under the initial UN resolution 687 [1991] and that should have been reported under 1441, with Iraqi testimony that not only did they not tell the UN about this, they were instructed not to do it and they hid material.

“I had innumerable analysts who came to me in apology that the world we were finding was not the world they had thought existed ...

“I wish it had been undue influence, because we know how to correct that ... The fact that it wasn't tells me we've got a much more fundamental problem of understanding what went wrong ...

“I regret to say that I think at the end of the work of the ISG there's still going to be an unresolvable ambiguity about what happened.

“A lot of that traces to the failure on April 9 [2003] to establish immediately physical security in Iraq – the unparalleled looting and destruction, a lot of which was directly intentional, designed by the [Iraqi] security services to cover the tracks of the Iraq WMD program and their other programs as well ...”

619. Asked whether it was too early to pronounce that everyone had been wrong, that weapons might still be hidden, Dr Kay replied:

“It's theoretically possible ... When the ISG wraps up its work ... there are still going to be people to say, ‘You didn't look everywhere. Isn't it possible it was hidden someplace?’ and the answer has got to be honestly, ‘Yes, it's possible’ ...

³⁴¹ Centre for Research on Globalisation, 28 January 2004, *Dr David Kay's Testimony to the Senate Armed Services Committee*.

“But I agree, we’re not in disagreement at all. The search must continue.”

620. Mr Blair discussed the ISG with President Bush on 28 January.³⁴² Mr Blair said that the first ISG Report showed that Saddam Hussein had been in breach of multiple Security Council resolutions. When the next report came it would be necessary to ensure that it was properly presented.

621. Mr Duelfer wrote in his memoir that Dr Kay’s testimony, “We were all wrong”, had sounded conclusive even though Dr Kay had been declaring that Iraq was violating UN resolutions throughout the 1990s and in the lead-up to the war:

“Aside from angering the staff he left in Iraq, Kay’s declarations made it much more difficult to collect information from Iraqi sources. Once the world had heard the decrees of the former ISG leader, why should any of the Iraqis provide further information?”³⁴³

The Hutton Report, 28 January 2004

622. On 28 January, Lord Hutton published his report into the circumstances surrounding the death of Dr Kelly.³⁴⁴ The principal conclusions of the Hutton Report relating to the September 2002 intelligence dossier and the 45 minutes claim are addressed in Section 4.2.

623. Commenting on the Hutton Report at the meeting of the JIC on 28 January, Mr Scarlett said:

“The JIC’s reputation had taken a knock in the short term but it was important to keep things in proportion. There continued to be great respect for the JIC and what it represented. The JIC’s higher profile as a result of the Hutton Inquiry carried implications however that would need careful managing.”³⁴⁵

624. Mr Scarlett also thanked the Committee members and the Assessments Staff for their support.

625. After the publication of the Hutton Report, the Government sent its deferred response to the 11 September 2003 ISC report *Iraqi Weapons of Mass Destruction – Intelligence and Assessments*.³⁴⁶

626. In response to the ISC’s criticism that the 9 September 2002 JIC Assessment, ‘Iraqi Use of Chemical and Biological Weapons – Possible Scenarios’ (see Section 4.2), did not highlight in the Key Judgements the uncertainties and gaps in UK knowledge

³⁴² Letter Rycroft to Adams, 28 January 2004, ‘Prime Minister’s Conversation with Bush, 28 January’.

³⁴³ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

³⁴⁴ *Report of the Inquiry into the Circumstances Surrounding the Death of Dr David Kelly C.M.G. by Lord Hutton*, 28 January 2004, HC 247.

³⁴⁵ Minutes, 28 January 2004, JIC meeting.

³⁴⁶ *Government Response to the Intelligence and Security Committee Report on Iraqi Weapons of Mass Destruction – Intelligence and Assessments*, 11 September 2003, February 2004, Cm6118.

about Iraq's biological and chemical weapons, the Government stated that the JIC had followed convention: "The Key Judgements section is not intended to be a summary of the main facts in the paper."

627. The Government stated that the September 2002 dossier did present "a balanced view of the Iraq's CBW capability based on the intelligence available", but acknowledged that presentation of the 45 minutes issue "allowed speculation as to its exact meaning".

628. The Government took "careful note" of the ISC conclusion that the inhibiting effect of UN inspections was not fully reflected in JIC Assessments, but observed that JIC Assessments produced in October and December 2002 and in March 2003 did reflect the point.

629. In response to the ISC recommendation that, if individuals in the intelligence community formally wrote to their line managers with concerns about JIC Assessments those concerns should be brought to the attention of the JIC Chairman, the Government stated that it was "important to preserve the line management authority of JIC members in judging what should be brought to the attention of the JIC Chairman".

630. After the publication of the Hutton Report, the FCO also sent its deferred response to the conclusions about the 45 minutes claim and the September dossier in the 7 July 2003 FAC report on the decision to go to war in Iraq.³⁴⁷ The FCO stated:

"We disagree that the 45 minute claim was given undue prominence. The 45 minutes claim came from an established, reliable and long-standing line of reporting. It was included in an early September Joint Intelligence Committee (JIC) Assessment as soon as the underlying intelligence had become available. It was consistent with previous JIC judgements on Iraq's command and control arrangements. Other issues were given a similar level of prominence in the dossier: for example the judgement that Iraq was building up its weapons of mass destruction (WMD) capability and that it was concealing its programmes.

...

"Had Saddam used chemical and biological weapons (CBW) munitions during the conflict we have no reason to doubt he could have deployed them in this timeframe.

...

"We welcome the Committee's conclusion that the claims in the September dossier were well founded ... We also welcome the conclusion that allegations of politically inspired meddling cannot credibly be established."

³⁴⁷ Ninth Report from the Foreign Affairs Committee, Session 2002-2003, *The Decision to go to War in Iraq, Further Response of the Secretary of State for Foreign and Commonwealth Affairs*, Cm6123.

The decision to establish the Butler Review

631. In late January, officials advised Mr Blair that there was “a clear risk” that President Bush would set up an inquiry into Iraq intelligence before he was forced to do so by Congress.

632. Sir Nigel Sheinwald discussed the mounting pressure for inquiries in the UK and the US with Dr Rice on 29 January.³⁴⁸ He recommended that No.10 and the White House stay “in the closest touch” to ensure public lines were co-ordinated.

633. Sir Nigel told Mr Straw’s office that the US Administration would prefer to make an announcement itself rather than be pushed into one by Congress or the media. It was clear that something was “stirring” in Washington. The announcement of an inquiry there would make it very difficult to hold the line in the UK.

634. Mr Powell sent a copy of Sir Nigel’s letter to Mr Blair with the advice:

“You must decide on this with Bush on Tuesday [3 February] before the [Parliamentary] debate on Wednesday.”³⁴⁹

635. In a minute to Sir Nigel Sheinwald on 30 January, Mr Scarlett set out his understanding of developments in the US, including concern about a “Notification to Congress that one piece of intelligence underpinning” Secretary Powell’s presentation to the UN on 5 February 2003 “came from an unreliable source”, and that CIA analysts had missed a “fabrication warning”.³⁵⁰

636. Mr Scarlett commented:

“This discredited report was sent to SIS but not issued by them so it was not reflected in our classified assessments or in the dossier. There is one reference in the dossier (the Executive Summary) to mobile ‘laboratories’. This was a general term to cover mobile facilities and was not meant to be distinct from ‘production’ units. In terms of any press lines it will be sufficient to say that the discredited report was not issued by SIS.”

637. Mr Scarlett added:

“The ground is audibly shifting in Washington. There is a clear risk that the Administration will set up an Inquiry into the Iraq intelligence. This will take many months to report and push the whole issue beyond November. It might have the side effect of prompting an early winding up of the ISG.”

³⁴⁸ Letter Sheinwald to Adams, 30 January 2004, ‘Conversation with US National Security Adviser’.

³⁴⁹ Manuscript comment Powell to PM on Letter Sheinwald to Adams, 30 January 2004, ‘Conversation with US National Security Adviser’.

³⁵⁰ Minute Scarlett to Sheinwald, 30 January 2004, ‘Iraq WMD: Update from CIA’.

638. On 31 January, Mr Rycroft informed Mr Blair that, during a visit to Washington from 30 to 31 January, he had explained that recent comments from Mr Kay, Dr Rice and Secretary Powell had been damaging in the UK.³⁵¹ He had also argued against an intelligence inquiry, and for maximum transparency and co-ordination if the US decided to go down that route. There was a strong chance that the US would do so, possibly very fast.

639. Mr Rycroft advised Mr Blair: “You need to raise with Bush at Monday’s [2 February] video conference.”

640. On 31 January, Sir David Manning reported growing political pressure on President Bush to admit intelligence failure and announce an inquiry.³⁵² Asked for his views on whether there should be an inquiry, President Bush had told the press:

“... I too, want to know the facts. I want to be able to compare what the Iraq Survey Group has found with what we thought prior to going into Iraq. One thing is for certain – one thing we do know from Mr Kay’s testimony, as well as from the years of intelligence that we had gathered, is that Saddam Hussein was a ... growing danger.”

641. Sir David Manning advised that President Bush’s remarks suggested he was leaving himself room to set up an inquiry.

642. Mr Blair set out his position on Iraq and WMD in a Note sent to President Bush on 1 February.

643. Mr Blair recognised the need to learn lessons about the difficulties of gathering intelligence and that there was a legitimate issue about its accuracy, but at that stage envisaged asking the ISC to address the issue.

644. On 1 February, Sir Nigel Sheinwald sent Dr Rice a Note “by the Prime Minister” on Iraq and WMD, to be shown to President Bush before the video conference with Mr Blair on 2 February.³⁵³

645. The Note addressed two issues:

- “Iraq and WMD”; and
- “WMD as a threat more generally”.

³⁵¹ Minute Rycroft to Prime Minister, 31 January 2004, ‘Visit to Washington’.

³⁵² Telegram 1 Washington to Cabinet Office, 31 January 2004, ‘Intelligence on Iraq WMD: US views, 30 January’.

³⁵³ Letter Sheinwald to Rice, 1 February 2004, ‘Iraq and WMD’ attaching Note [Blair to Bush], ‘Note on WMD’.

646. On the former, Mr Blair wrote:

“We know Saddam had WMD. We know the ISG has not yet found weapons, though it has found evidence of programmes. The truth is that we anticipated finding the weapons during or shortly after the conflict. So to say we are surprised at the ISG’s findings is no less than the truth.

“The issue of US/UK good faith can be laid to rest. We received the intelligence. We honestly believed it.

“The issue now is: was it right; and if it wasn’t, what can we learn about the difficulties of gathering intelligence in these situations?

“What we can say is this:

“(a) there is no doubt that Saddam had WMD. It was not just US/UK intelligence agencies that said so, it was many others around the world. In any event, Saddam used them. The UN when it left in 1998 found stockpiles unaccounted for. That is why UN resolution 1441 unanimously described his weapons as a threat to world peace.

“(b) we should exercise some caution in saying definitely no stockpiles now exist. In the 1990s despite intensive investigation, the full extent of his programmes remained concealed for years. We know from intelligence pre-war that he intended to conceal them. The ISG has found ample evidence of an intention to conceal. Look at what we know now Libya is co-operating, compared with what we could speculate on, on the basis of intelligence.

“I don’t concede there are no weapons. But I do concede we expected to find them sooner and there is plainly a legitimate issue about the accuracy of the intelligence.

“(c) let us get it clear what the ISG has said so far and what Dr Kay has said.

“The ISG has found:

- Evidence of efforts to maintain BW and nuclear capabilities including equipment, documents and organisms. Teams of scientists were retained to work on them.
- Planning and design work for missiles of up to 1,000km in range.
- Equipment and documentation being systematically destroyed ...
- Undeclared laboratories and facilities that have a potential for BW and CW production, that should have been declared to the UN.
- In 2002, Iraq successfully tested an UAV with a range of 500km.

“All of these things are a breach of the UN resolutions.

“Therefore, though the ISG have not found evidence of actual weapons, they have found evidence of programmes. Any of this would have triggered a justification for conflict.

“Dr Kay has said:

- He believes no major new production of weapons occurred post-1991.
- He speculates that Saddam may have been told tales about the programmes or that some stuff moved to Syria.
- But some old stockpiles may well exist and the capabilities and determination remained intact.
- That Iraq was ‘a very dangerous place’.
- That the conflict was justified, and
- That the US/UK did not interfere with the intelligence.

“He makes a claim also that Saddam was trying to manufacture ricin up to the last minute ... but UK services at least don’t seem to know the provenance of this.

“(d) however, in view of the fact that we certainly thought production of new weapons was continuing and it may be that it wasn’t, it is sensible to learn the intelligence lessons.

“Therefore, the US is going to have a Commission of Experts look into it.

“The UK will refer the issue back to the Intelligence and Security Committee ...

“Meanwhile the ISG will continue its work on the ground since there are at least 26 million pages of documents and many unvisited sites still to follow up.”

647. On the wider threat from WMD, Mr Blair wrote:

“Whatever the intelligence from Iraq, let us be in no doubt about the threat.

“The threat of terrorism and proliferation of WMD continues. It would be disastrous if doubts about the strength of intelligence in Iraq blinded us to the danger. We know that Iran and North Korea are trying to develop nuclear weapons and it is only since Iraq that real pressure on them has started to pay off.

“We now know that Libya was far closer than we thought to nuclear capability and on CW than we thought; and, since Iraq they are working with us to eliminate it ...”

648. Mr Blair concluded:

“If we have to accept that some of the Iraq intelligence was wrong, we will do so. But let us not either (a) lurch to the opposite extreme and start pretending Iraq had nothing; or (b) let any intelligence inaccuracy move us off confronting the WMD issue.

“So we need:

To put ourselves in the right place on accepting some intelligence may have been wrong and letting that be looked into.

To get across what Kay and the ISG are actually saying.

To reassert the importance of the WMD question.”

649. On 1 February, US media reported that President Bush would shortly be announcing “a bipartisan, independent commission to investigate apparent flaws in intelligence used to justify the Iraq war”.³⁵⁴

650. Mr Straw spoke to Secretary Powell on 1 February.³⁵⁵ Secretary Powell explained that the US planned to make an announcement about the independent commission, probably on 2 February. Mr Straw briefed Secretary Powell on the discussion in the UK. It would be important, if possible, to make announcements at the same time.

651. Following a discussion with Dr Rice that evening, Sir Nigel Sheinwald wrote to Mr Geoffrey Adams, Mr Straw’s Principal Private Secretary, reporting that Mr Blair, Mr Straw and others had been “reflecting on how to handle the issue of intelligence on Iraqi and other WMD in the light of developing US plans”.³⁵⁶ Mr Blair would be chairing a meeting the next morning to discuss the way forward.

652. The following day, President Bush confirmed that he would make an announcement once the details had been agreed.³⁵⁷

653. The Executive Order establishing a “Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction” was published on 6 February.³⁵⁸ It stated that the Commission should:

“... assess whether the Intelligence Community is sufficiently authorized, organized, equipped, trained, and resourced to identify and warn in a timely manner of, and support United States Government efforts to respond to, the development and transfer of knowledge, expertise, technologies, materials, and resources associated with the proliferation of Weapons of Mass Destruction, related means of delivery, and other related threats of the 21st century and their employment by foreign powers ...”

³⁵⁴ *The Washington Post*, 1 February 2004, *Bush to Announce Iraq Intelligence Probe This Week*.

³⁵⁵ Letter Straw to Sheinwald, 2 February 2004, ‘Conversations with US Secretary of State, 30 January and 1 February’.

³⁵⁶ Letter Sheinwald to Adams, 1 February 2004, ‘Iraq and WMD: Conversation with US National Security Adviser’.

³⁵⁷ The White House, 2 February 2004, *Press Briefing by Scott McLellan*.

³⁵⁸ The White House, 6 February 2004, *Executive Order: Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction*.

654. Mr Blair and Mr Straw met early on 2 February.³⁵⁹ Sir Andrew Turnbull (Cabinet Secretary), Sir David Omand, Mr Scarlett, Sir Richard Dearlove, Dr David Pepper (Director, GCHQ), Mr Ehrman, Mr Powell, Sir Nigel Sheinwald, Baroness Morgan (No.10 Director of Political and Government Relations), and other officials from No.10 were present.

655. The meeting concluded that the Government would set up a committee to review the intelligence on WMD, and agreed its Terms of Reference and membership. It “should be wider than the ISC”; and it “should look at intelligence on WMD in general, not just Iraq”.

656. In their video conference on 2 February, Mr Blair and President Bush discussed their intentions to establish commissions to examine aspects of the pre-conflict intelligence on Iraq and WMD.³⁶⁰ They also discussed the timescale for the ISG to produce its final report and whether, in the meantime, further material from the ISG’s Interim Report could be used in public.

657. In Mr Blair’s view, the ISG had already found weapons programmes, plans to restart programmes after the UNMOVIC inspectors left and hitherto undiscovered breaches of UN resolutions. The public and media had not digested the implications of the reports and Dr Kay’s remarks. There was enough in the ISG’s findings to justify US/UK military action. When the findings were linked to the wider picture, it would have been irresponsible not to take action on Iraq.

658. Following the discussion, Sir Nigel Sheinwald sent draft Terms of Reference for the UK committee to Dr Rice, stating that they had been revised in the light of the video conference, but were “very much a working draft”.³⁶¹

659. In a subsequent letter, Sir Nigel wrote that he had made clear that the UK Terms of Reference, which Dr Rice had not yet seen, were narrower than those under consideration in the White House, and the aim was to complete the review “as soon as possible”.³⁶²

660. On 2 February, Mr Scarlett sent Mr Powell suggested amendments to Mr Blair’s Note to President Bush on WMD.³⁶³ They were “Points of detail but some are important to get right”.

³⁵⁹ Letter Rycroft to Adams, 2 February 2004, ‘Prime Minister’s Meeting on Review of Intelligence on WMD’.

³⁶⁰ Letter Cannon to Adams, 2 February 2004, ‘Iraq WMD: Prime Minister’s Video-conference with President Bush, 2 February’.

³⁶¹ Letter Sheinwald to Rice, 2 February 2004, ‘WMD: UK Committee’.

³⁶² Letter Sheinwald to Rice, 2 February 2004, ‘Iraq and WMD: Conversation with US National Security Adviser’.

³⁶³ [Manuscript comment Scarlett, 2 February 2004 on Paper \[unattributed\], \[undated\], ‘Note on WMD’.](#)

661. A revised version of the Note Mr Blair had sent to President Bush, with Mr Scarlett’s amendments underlined, was passed to Mr Blair as part of the brief for his appearance before the House of Commons Liaison Committee.³⁶⁴ The amendments included:

- “... The UN when it left in 1998 noted that large stockpiles of weapons and agents were unaccounted for. They are still unaccounted for. That is why UN resolution 1441 unanimously recognised the threat posed to international peace and security by Iraq’s proliferation of WMD and long range missiles.”
- “... Look at what we know about Libya’s CW weapons, now that they are co-operating compared with what we could obtain through intelligence.”
- “... [T]hough the ISG has not found evidence of actual weapons, they have found substantial evidence of prohibited activities”.
- Three additions to the list of points made by Dr Kay:
 - “Iraq was in clear violation of the terms of UNSCR 1441”.
 - “Iraq deliberately waged a policy of destruction and looting”.
 - “[T]he ISG has learned things about Iraq’s WMD programmes that no UN inspector could have learned”.

662. On 2 February, UK news media reported the imminent announcement of a decision to set up a UK inquiry into intelligence on WMD.³⁶⁵

663. *The Guardian* described the forthcoming announcement as “a major u-turn” which had been “forced upon” Mr Blair by President Bush’s decision to hold an inquiry in the US.³⁶⁶

664. In his evidence to the Liaison Committee on 3 February, Mr Blair stated:

“The whole reason why we took this action in Iraq was because of the risk posed by an unstable state with weapons of mass destruction capability and the risk that at some point, not necessarily immediately, but at some point in the future, that then gets into the hands of those who are terrorists with terrorist intent.”³⁶⁷

665. Mr Straw announced Mr Blair’s decision to establish a committee to review intelligence on WMD in the House of Commons on 3 February.³⁶⁸ The Terms of Reference of the committee, to be chaired by Lord Butler, would be:

“... to investigate the intelligence coverage available in respect of WMD programmes in countries of concern and on the global trade in WMD, taking into account what

³⁶⁴ [Manuscript comment Powell, 2 February 2004 on Paper \[unattributed\], \[undated\], ‘Note on WMD’.](#)

³⁶⁵ *BBC News*, 2 February 2004, *Iraq inquiry set to be launched*.

³⁶⁶ *The Guardian*, 3 February 2004, *Iraq’s missing weapons: an inquiry is forced upon Blair*.

³⁶⁷ Liaison Committee of the House of Commons, Session 2003-2004, *Oral evidence taken before the Liaison Committee on Tuesday 3 February 2004*, Q 16.

³⁶⁸ House of Commons, *Official Report*, 3 February 2004, column 625.

is now known about these programmes; as part of this work, to investigate the accuracy of intelligence on Iraqi WMD up to March 2003, and to examine any discrepancies between the intelligence gathered, evaluated and used by the Government before the conflict, and between that intelligence and what has been discovered by the Iraq Survey Group since the end of the conflict; and to make recommendations to the Prime Minister for the future on the gathering, evaluation and use of intelligence on WMD, in the light of the difficulties of operating in countries of concern.”

666. Mr Straw explained that, while the ISC, FAC and Hutton inquiries had been under way:

“... three proposals were put before the House in June, July and late October on Opposition motions calling for wider inquiries into aspects of the Government’s handling of events in the run-up to the Iraq war. At the time, the Government resisted those calls, including on the ground that the inquiries already under way should be allowed to complete their work. Later, both the Prime Minister and I also referred to the continuing activities of the Iraq Survey Group.

“Over the past week, we have seen the publication of the Hutton Report and the evidence of Dr David Kay, former head of the Iraq Survey Group, to a US Congressional Committee. It has also emerged that the Iraq Survey Group may take longer to produce a final report than we had all originally envisaged. All that has led the Government now to judge that it is appropriate to establish this new inquiry of Privy Councillors.”

667. Mr Blair and President Bush discussed WMD on 4 February.³⁶⁹ Mr Blair said he thought the public needed to be educated on the nature of intelligence: “not clear facts, but patterns of information on which leaders had to make a judgement”.

Mr Tenet’s speech to Georgetown University, 5 February 2004

668. Mr Tenet used a speech at Georgetown University on 5 February to set out his position on Iraqi WMD and the October 2002 NIE.³⁷⁰

669. The UK was invited to comment on a draft copy on 4 February.³⁷¹

³⁶⁹ Letter Cannon to Adams, 4 February 2004, ‘Prime Minister’s Video-Conference with President Bush, 4 February’.

³⁷⁰ Central Intelligence Agency, 5 February 2004, *Remarks as prepared for delivery by Director of Central Intelligence George J. Tenet at Georgetown University, 5 February 2004: Iraq and Weapons of Mass Destruction*.

³⁷¹ Manuscript comment Scarlett to Rycroft, 4 February 2004, on Speech (draft), Tenet, 3 February 2004, ‘Remarks for the Director of Central Intelligence George J Tenet at Georgetown University, February 5, 2004’.

670. Mr Powell informed Mr Blair that the draft included “Good defence for Iraq”.³⁷²

671. Mr Blair asked for the speech to be circulated to MPs.³⁷³

672. Mr Dowse, who had succeeded Mr Miller as Chief of the Assessments Staff in November 2003, passed “two major comments” to the US Embassy in London:

- The section of the draft speech on good news stories of intelligence work against Libya and AQ Khan³⁷⁴ appeared to pre-empt plans for co-ordinated speeches by President Bush and Mr Blair which had been under discussion for some time.
- The UK was uncomfortable with the draft’s presentation of the role played by intelligence from allies in the US assessment. The implication was that it had been the crucial factor: “Examples: ‘Now, did this information make a difference in my thinking? You bet it did ...’”³⁷⁵

673. In his speech, Mr Tenet explained that intelligence analysts’ differences on several important aspects of Iraq’s WMD programmes were spelt out in the NIE:

“They never said there was an ‘imminent’ threat. Rather, they painted an objective assessment for our policy-makers of a brutal dictator who was continuing his efforts to deceive and build programs that might constantly surprise us and threaten our interests.”

674. Mr Tenet compared the ISG’s interim findings with the October 2002 NIE, emphasising that any comparison was provisional: the ISG’s work was “nowhere near 85 percent finished”. The ISG needed more time and more data.

675. The references to the impact of intelligence received from foreign partners, on which Mr Dowse had commented, remained unchanged. Mr Tenet stated:

“Several sensitive reports crossed my desk from two sources characterized by our foreign partners as ‘established and reliable’.

...

“Now, did this information make a difference in my thinking? You bet it did. As this and other information came across my desk, it solidified and reinforced the judgements we had reached and my own view of the danger posed by Saddam Hussein and I conveyed this view to our nation’s leaders.

³⁷² Manuscript comment Powell to PM, 4 February 2004, on Speech (draft), Tenet, 3 February 2004, ‘Remarks for the Director of Central Intelligence George J Tenet at Georgetown University, February 5, 2004’.

³⁷³ Manuscript comment Blair on Speech (draft), Tenet, 3 February 2004, ‘Remarks for the Director of Central Intelligence George J Tenet at Georgetown University, February 5, 2004’.

³⁷⁴ Abdul Qadeer Khan, known as AQ Khan, the Pakistani nuclear proliferator. On 2 February 2004, AQ Khan admitted on Pakistani television that he had sold nuclear secrets to other countries.

³⁷⁵ Minute Dowse to Scarlett, 5 February 2004, ‘Iraqi WMD: Tenet Speech’.

“Could I have ignored or dismissed such reports at the time? Absolutely not.”

676. Mr Tenet concluded that, based on the data collected over the previous 10 years, it would have been difficult for analysts to reach conclusions other than those in the NIE. But the intelligence community needed to reflect on a number of questions, including:

- Did the history of Saddam Hussein’s behaviour cause the intelligence community to overlook alternative scenarios?
- Did the failure to spot how close Saddam Hussein came to acquiring a nuclear weapon in the early 1990s lead to over-estimation of his programmes in 2002?
- Was the absence of information flowing from a repressive regime considered carefully?
- Were policy-makers told clearly what was and was not known?

The search for WMD, January to July 2004

677. On 9 February, Mr Duelfer informed Mr Blair that:

- the ISG would now focus its effort on people rather than sites;
- he was not yet prepared to conclude that there were no WMD in Iraq; and
- he envisaged an interim report in March.

678. Mr Blair remained concerned about the nature of the public debate on WMD.

679. Mr Duelfer called on Mr Blair in London on 9 February.³⁷⁶ In answer to questions from Mr Blair, he said that:

- The ISG had much work to do and had the resources it needed to get to the bottom of the issue.
- The ISG would now focus on people rather than sites. There were also “vast mounds” of documents to examine.
- The ISG “must examine the strategic intentions of Saddam’s regime. His [Mr Duelfer’s] hypothesis was that the regime’s strategy was to outlast the UN and sanctions. We could not make judgements until this was proven.”
- He was not yet prepared to conclude that the weapons were not there.
- He envisaged an interim report in March, but the final report was “some time away”.

680. Mr Rycroft’s record of the meeting stated that Mr Blair was:

“... content with the timing of late March for the next ISG interim report ... provided that it does not slip. Its handling will require military precision, since its content will fix the debate on WMD for the months ahead.”

³⁷⁶ Letter Rycroft to Baker, 9 February 2004, ‘Iraq Survey Group: Meeting with Duelfer’.

681. Mr Duelfer described the meeting in his memoir:

“Blair was very well informed on the WMD issue, and I had the opportunity to go into greater depth about my plans and tactics than I had with President Bush or Condoleezza Rice ... I highlighted that I felt it was important to take this historic opportunity to record the *reasons* for Saddam’s decisions on WMD and to understand where the regime was headed ...

“Prime Minister Blair asked questions about the sources of information and how I would arbitrate between the views of differing experts. He did not make strong suggestions, but carefully inquired where I was headed and asked about rough estimates on timing. I said I felt ... that when sovereignty was returned to Iraq on 30 June, this would greatly affect ISG operations. I promised to keep the UK Government fully informed.”³⁷⁷

682. During a wider discussion on Iraq on 9 February, Sir Nigel Sheinwald told Dr Rice about Mr Blair’s meeting with Mr Duelfer.³⁷⁸ Mr Blair remained concerned about the nature of the public debate, which Sir Nigel stated was “either there were stockpiles of WMD, or nothing at all. We needed to publicise the reality of the position. The next interim ISG report ... would be very important.” Dr Rice agreed the need to “keep repeating our position”, and to work together on the next report.

683. Mr Dowse updated Sir Nigel Sheinwald on the survey of five sites where intelligence suggested WMD-related items had been hidden underwater.³⁷⁹ It had been suggested during Mr Blair’s video conference with President Bush on 2 February that the ISG was hopeful of finding objects hidden in the Tigris River. Mr Dowse reported that specialist divers had failed to find six rectangular metal objects located by sonar on 21 and 22 January and that the survey of a second site had not located anything suspicious.

684. Mr Scarlett discussed co-ordination between the UK and US with Mr McLaughlin and Mr Hadley in Washington on 9 February.³⁸⁰ Mr Scarlett said that, from a London perspective, there was an urgent need to get more detailed factual information about the work of the ISG into the public domain. The next ISG report would need to be better presented and less indigestible than the last.

685. In a meeting the following day with Ms Jami Miscik, CIA Deputy Director of Intelligence, Mr Scarlett set out “the broad gameplan for getting some balance back into the public debate on WMD”.³⁸¹ “The key was to get more facts into the public domain.”

³⁷⁷ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

³⁷⁸ Letter Sheinwald to Adams, 9 February 2004, ‘Iraq’.

³⁷⁹ Minute Dowse to Sheinwald, 9 February 2004, ‘Iraq WMD: Search for Items in the Tigris’ attaching Paper [unattributed], [undated], ‘Retrieval from the Tigris’.

³⁸⁰ Telegram 2 Washington to Cabinet Office London, 10 February 2004, ‘Iraq WMD: JIC Chairman’s visit to Washington, 9/10 February’.

³⁸¹ Letter Wood to Scarlett, 10 February 2004, ‘Your Meeting with Jami Miscik, 10 February’.

He stated that “[m]ore widely”, a “succession of speeches, articles and media events” were needed “to highlight the wider proliferation problem”.

686. Mr Scarlett commented on Mr Tenet’s “spotlighting” in his speech:

“... particular intelligence from a trusted intelligence partner (ie the UK). The media of course were watching like hawks for any signs of UK/US splits. Some had interpreted Tenet’s comments as laying the ground to shift the blame for faulty intelligence to SIS.”

687. Mr Scarlett also discussed the debate in Washington and its focus on whether intelligence had been politicised, and whether the assessments had been wrong. On the former, there were comments about the highly politicised environment and the extent to which “very persistent lines of questioning” from politicians might have led analysts “further towards particular judgements than they would have moved of their own accord”.

688. Mr Wood, who accompanied Mr Scarlett to the meeting, commented afterwards that, in the wake of Mr Tenet’s speech, there remained “ample potential for a serious public CIA/White House blame game between now and the [US presidential] election”.

689. Mr Blair described his meeting with Mr Duelfer to President Bush during their video conference on 10 February.³⁸² Mr Blair said that, if there were an ISG interim report by the end of March, it would define the issue for some time. It therefore needed to be detailed, with factual backing, and carefully handled. Mr Duelfer had a clear idea of what was needed, including background on the Iraqi concealment effort, destruction of documentation, and the compartmentalisation of the WMD programmes.

690. SIS sent No.10 a copy of a senior officer’s speaking note dated 10 February for an address to staff on the issue of why no WMD had been found in Iraq.³⁸³

691. Sir Nigel Sheinwald drew Mr Blair’s attention to the note’s conclusion that critics were unlikely to be proved wrong in the short term, but that the story of Iraq’s WMD would come out in the end.³⁸⁴

692. Mr Blair commented on the paper:

“But is Duelfer + ISG now working? That’s what we must press. But this is a good paper.”³⁸⁵

³⁸² Letter Cannon to Adams, 10 February 2004, ‘Prime Minister’s Video-Conference with President Bush, 10 February’.

³⁸³ Paper [senior SIS officer’s speaking note for an address to staff], 10 February 2004, ‘Why have we found no WMD in Iraq?’

³⁸⁴ Manuscript comment Sheinwald on Paper [senior SIS officer’s speaking note for an address to staff], 10 February 2004, ‘Why have we found no WMD in Iraq?’

³⁸⁵ Manuscript comment Blair on Paper [senior SIS officer’s speaking note for an address to staff], 10 February 2004, ‘Why have we found no WMD in Iraq?’

693. In a speech in Washington on 11 February, President Bush highlighted recent counter-proliferation successes, including the breaking of the AQ Khan nuclear proliferation network and Libya's agreement to end its nuclear and chemical weapons programmes, and announced a package of proposals to strengthen international counter-proliferation efforts.³⁸⁶

694. On 13 February, the British Embassy Washington reported that, although President Bush's "big pitch on proliferation" had had some success in broadening the political debate about WMD, a poll in *The Washington Post* suggested that a majority of Americans believed the President had intentionally exaggerated evidence that Iraq had WMD.³⁸⁷

695. The Embassy also reported that the Senate Intelligence Committee had decided to broaden its investigation, previously restricted to the performance of the intelligence community, to include whether policy-makers' statements were substantiated by intelligence.³⁸⁸ The Embassy concluded that the way was probably now clear for the Committee to release a report at the end of March which criticised the intelligence community.

696. The Embassy also reported that:

- The CIA had released an internal speech by Ms Miscik to *The Washington Post*, which had reported on 12 February that "an internal review revealed several occasions when analysts mistakenly believed that Iraq weapons data had been confirmed by multiple sources when in fact it had come from a single source" and that Mr Tenet had "ordered an end to the long-standing practice of withholding from analysts details about the clandestine agents who provide the information".
- *The New York Times* on 13 February had quoted "senior intelligence officials" as saying that analysts had not been told that much of the information came from defectors linked to exile organisations that were promoting an American invasion.
- *Newsweek* had reported on 12 February that the CIA was "re-examining the credibility of four Iraq defectors" and had already "acknowledged that one of the defectors had been previously branded a fabricator by another US intelligence agency".

³⁸⁶ The White House, 11 February 2004, *President Announces New Measure to Counter the Threat of WMD*.

³⁸⁷ Telegram 220 Washington to FCO London, 13 February 2004, 'Iraq WMD: US Debate, 13 February'.

³⁸⁸ The Intelligence Committee's first report was published on 9 July 2004. The "Phase II" report on the broader investigation announced in February 2004 was published in five parts between September 2006 and May 2008. Both are addressed later in this Section.

697. *The Washington Post* article was also reported by the UK media on 12 February, including by the *BBC* under the headline “Iraq ‘prompts CIA method change’”.³⁸⁹

698. Ms Miscik’s speech was released publicly by the CIA in March 2004.³⁹⁰

699. On 17 February Mr Dowse sent SIS3 the draft of a speech on WMD to be made by Mr Blair at some time in the next six to eight weeks.³⁹¹ It was “very different from the version” they had been discussing. Mr Blair had reworked the text himself over the weekend and it focused “much more [on] the justification for the war in Iraq”.

700. The No.10 briefing for Mr Blair’s video conference with President Bush on 17 February stated that the President’s speech on proliferation had not had the impact he seemed to have expected.³⁹² Mr Blair should inform President Bush that he was working on his own speech “to produce a philosophical rationale for our action on WMD (and terrorism)”.

701. Mr Blair told President Bush on 17 February that he wanted his own speech to get across the linkages between WMD, rogue states and terrorism.³⁹³ Recent investigations were uncovering further details of the AQ networks in the UK.³⁹⁴ Mr Blair added that, in dealing with WMD, it was impossible for the political leadership to err on the side of caution.

Preparation of the ISG Status Report

702. Preparations for the ISG Status Report began in late February.

703. Mr Duelfer made it clear to the UK that he would not accept “joint drafting”.

704. Mr Scarlett sent to Mr Duelfer “nuggets” from the September 2003 ISG Interim Report that he considered might be relevant to the next ISG report. He assured Mr Duelfer that these were not drafting proposals.

705. Mr Blair stated that Mr Duelfer must be in charge of production of the report, but that it must be handled better than the last.

706. Mr Duelfer set out his plans for the next ISG report during a video conference on 24 February.³⁹⁵ The report, later known as the ISG Status Report, would be no more than 25-30 pages, avoid conclusions or assessments, identify the issues remaining to

³⁸⁹ *BBC News*, 12 February 2004, *Iraq prompts CIA method change*.

³⁹⁰ Speech DDI, 11 February 2004, *DDI’s State of Analysis Speech*.

³⁹¹ Letter Dowse to SIS3, 17 February 2004, ‘Prime Minister’s Speech on WMD’.

³⁹² Minute Cannon to Prime Minister, 16 February 2004, ‘Video-Conference with Bush, 17 February’.

³⁹³ Letter Cannon to Adams, 17 February 2004, ‘Prime Minister’s Video-Conference with President Bush, 17 February’.

³⁹⁴ The Government has provided evidence indicating that the reference in the record to “AQ networks in the UK” was an error. The record should have referred to the networks of the Pakistani nuclear proliferator AQ Khan.

³⁹⁵ Minute [DIS] to DCDI, 24 February 2004, ‘Iraq/ISG: Senior Level UK/US VTC 24 February 2004’.

be addressed and highlight the intentions of the regime. There would be no detailed annexes. Any annexes that had been prepared in his absence would be included in the final report.

707. Mr Howard explained the wish at the highest political level in the UK for the report to include as much detail as possible. He offered to host a seminar in London bringing together experts from the ISG, London and Washington. Mr Duelfer was not averse to including detail as long as there were no piecemeal conclusions, and was fully committed to consulting capitals on the interim and final reports. He was not attracted to the idea of a seminar.

708. Mr Scarlett advised Sir Nigel Sheinwald that getting “the right balance of detail” into the next ISG report might not be as simple as the record of the video conference suggested. He was pressing for immediate sight of the latest draft.³⁹⁶

709. Mr Scarlett reported separately that, during a video conference on 2 March, Mr Duelfer had explained that he did not intend to share the draft of the next interim report with capitals in advance, but was willing to discuss detail.³⁹⁷ He had emphasised the importance of the report being seen to be the independent work of the ISG. Mr Scarlett and Mr Howard had stressed the importance of capturing some of the detail from the September 2003 Interim Report, which underpinned public statements. They had been invited to submit areas of the 2003 Interim Report they would like to see reflected.

710. The Op ROCKINGHAM weekly update for 27 February to 4 March reported that the ISG’s pace of operations could not be sustained in March.³⁹⁸ Limiting factors included a reduction in the number of already scarce interpreters and a requirement to train US units arriving on troop rotation.

711. In early March, Mr Blair requested weekly updates on the ISG.³⁹⁹

712. During a video conference on 2 March, Mr Scarlett stressed to Mr Duelfer the need for his forthcoming report to capture some of the detail from the September 2003 ISG Interim Report.⁴⁰⁰ Mr Duelfer invited Mr Scarlett to submit “nuggets” which the UK believed were “relevant” to the forthcoming report.

713. On 4 March, Mr Scarlett told Sir Nigel Sheinwald that discussions with Mr Duelfer would need careful handling. Mr Duelfer had made it clear that he owned the report and would not accept “joint drafting”. Mr Scarlett advised that, whatever assurances were received from the US, the UK would have to work hard to avoid “surprises”.

³⁹⁶ Manuscript comment Scarlett to Sheinwald, 26 February 2004, on Minute [DIS] to DCDI, 24 February 2004, ‘Iraq/ISG: Senior Level UK/US VTC 24 February 2004’.

³⁹⁷ Minute Scarlett to Sheinwald, 4 March 2004, ‘Iraq: The ISG’ attaching Paper [unattributed], [undated], ‘Iraq ISG Issues’.

³⁹⁸ Op ROCKINGHAM Weekly No.36, 27 February – 4 March 2004.

³⁹⁹ Minute Scarlett to Sheinwald, 4 March 2004, ‘Iraq: The ISG’.

⁴⁰⁰ Minute Scarlett to Duelfer, 8 March 2004, ‘ISG Report’.

714. Sir Nigel Sheinwald commented to Mr Blair:

“It is going to be difficult to get the sort of interim ISG report we want ... I’ve asked the FCO + SIS to press on their channels. I’ll talk to Condi [Rice], and you should raise again with the President next week.”⁴⁰¹

715. On 8 March, Mr Scarlett sent Mr Duelfer “nuggets” from the September ISG Interim Report for inclusion in the forthcoming report.⁴⁰² Mr Scarlett explained:

“Without knowing the details of your current draft it is difficult to judge where these ‘nuggets’ would fit in. But I am confident their inclusion will:

- establish the context for the latest developments which your functional teams are preparing for inclusion in your new report;
- help to set out clearly where the ISG have established Iraqi breaches of UNSCRs;
- explain the current state of the ISG’s key, most important lines of enquiry.

“They do not require you or your report to come to conclusions about these lines of enquiry. You explained your approach on this point when you were in London last month and, as you know, it is one with which we agree.”

716. The material proposed for inclusion by Mr Scarlett included:

- BW. Quotes from Iraqi scientists to the effect that Iraq was still actively pursuing ricin for weaponisation and that as of March 2003 it was being developed into stable liquid to deliver as aerosol in small rockets, cluster bombs and smoke generators.
- CW. The Iraqi declaration in December 2002 that it had imported 11,500 tonnes of white phosphorous, a potential precursor for nerve and blister agents.
- Nuclear. Remarks attributed to Mr Tariq Aziz (Iraqi Deputy Prime Minister from 1979 to 2003) and Mr al-Huwaish on the strategic intentions of the Iraqi regime.
- Missile. Material that had already been used by the *BBC* on the designs for long-range missiles using SA-2/Volga engines.
- Sanitisation and destruction. Further material on the deliberate sanitisation and destruction witnessed by the ISG to help reinforce the message on the difficult operational environment.

717. Mr Scarlett concluded:

“The above is designed to point you to particular areas in the classified September [Interim] Report which appear to be of relevance to your work now. They are

⁴⁰¹ Manuscript comment Sheinwald to Prime Minister on Minute Scarlett to Sheinwald, 4 March 2004, ‘Iraq: The ISG’.

⁴⁰² Minute Scarlett to Duelfer, 8 March 2004, ‘ISG Report’.

not intended as drafting proposals. I am also aware that the precise drafting of items which comprise potential intelligence must take account of the need not to undermine lines of continuing operational investigation.”

718. Mr Scarlett sent a copy to Mr Rycroft, explaining that it:

“... does no more than draw his [Mr Duelfer’s] attention to items already written up by Kay in classified form, in September. But I have made it clear I was not trying to do his drafting for him.”⁴⁰³

719. In his memoir, Mr Duelfer described the relationship with Mr Scarlett:

“I met ... John Scarlett ... and stayed in touch with him and his office throughout the process ... He wanted to be certain that the ISG had access to the same data that the United Kingdom had ...

“I valued the direct involvement of Scarlett. Some questioned his suggestions for ISG. I found it helpful to hear and evaluate his ideas.”⁴⁰⁴

720. Mr Duelfer also wrote:

“Scarlett and I had spoken in person in London and I had requested that he bring to my attention any aspects that I might have overlooked. The particular points he recalled from the earlier Kay Report had been further investigated since their publication and found to be without consequence. The nuggets were fool’s gold, but I was reassured to have examined them.”

721. Mr Blair raised the ISG during a video conference with President Bush on 9 March.⁴⁰⁵

722. Mr Blair said that Mr Duelfer must remain in charge of production of the next report, but it was vital that it was handled better than the last. There was a better story to be told. Much material in October’s secret Interim Report could be drawn on publicly next time, such as transcripts of interviews with scientists. By including detailed material, the next report should lead people to the conclusion that “*something*” was going on in Iraq in breach of UN resolutions, even if the material did not lead to concrete evidence of actual weapons. The next step, probably in a further report, would be to set out exactly what had been happening.

723. Mr Rycroft described the conversation as “A good exchange.”

724. On 11 March, Sir Nigel Sheinwald sent Mr Blair a note from Mr Scarlett on the progress of his discussions with Mr Duelfer.⁴⁰⁶ Sir Nigel informed Mr Blair that

⁴⁰³ Minute (handwritten) Scarlett to Rycroft, 8 March 2004, ‘ISG’.

⁴⁰⁴ Duelfer C. *Hide & Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

⁴⁰⁵ Letter Rycroft to Adams, 9 March 2004, ‘Iraq Survey Group: Prime Minister’s Conversation with President Bush, 9 March’.

⁴⁰⁶ Manuscript comment Sheinwald to Prime Minister on Minute Scarlett to Sheinwald, 11 March 2004, ‘ISG’.

Mr Scarlett's "nuggets" would be included in Mr Duelfer's report, although the timing would be "tight, + difficult".

725. Mr Blair asked: "But can they also include the transcripts of interviews which I found v[ery] persuasive in the Oct 2003 background draft?"⁴⁰⁷

726. In a note to No.10 officials on 15 March, Mr Blair wrote:

"As for the ISG, the problem is that they don't seem to understand that, at present, opinion thinks there is either a WMD finding or nothing. Actually there is a mystery as to what happened to the physical evidence but it was plain much was going on in breach of UN resolutions. It is the latter point that the further interim report could deal with, eg by disclosing transcripts of interviews with Iraqi scientists and officials as per the background paper in October. We need to work intensively on this with the US this week."⁴⁰⁸

727. Mr Blair's initial view of the draft ISG Status Report was that it was better than expected.

728. Mr Blair was clear that the principal messages – that Saddam Hussein had been in breach of Security Council resolutions and that his behaviour had raised "immense suspicions" – must stand out.

729. The first copy of the draft ISG Status Report was received in London on 15 March.⁴⁰⁹ Mr Scarlett described it as:

- short
- a summary of developments since the September [Interim] Report
- focused on strategic intentions of the regime
- careful to avoid conclusions".

730. Mr Scarlett drew attention to material in the section on new developments:

- Nuclear – "Some useful new detail here which strengthens the previous comment."
- BW – "This is weaker and lacking detail. Almost all the points from Kay's report, which we proposed for inclusion are not here. Although the draft avoids 'conclusions', some negative assessment points in that direction, especially on the mobile labs."
- CW – "Again, this lacks detail including the 'nuggets' proposed by us ..."
- Missiles – "As before, some useful detail but there could be significantly more, again including our proposals from the previous report."

⁴⁰⁷ Manuscript comment Blair on Minute Scarlett to Sheinwald, 11 March 2004, 'ISG'.

⁴⁰⁸ Note [Blair], 15 March 2004, [untitled].

⁴⁰⁹ Minute Scarlett to Cannon, 16 March 2004, 'ISG Draft Report'.

731. Mr Scarlett wrote that Mr Duelfer had included only a few of the UK's suggestions and seemed to be trying to avoid going into detail, especially if it came from Dr Kay's Interim Report. There were "numerous instances" where Mr Duelfer could have brought out breaches of resolutions, but did not.

732. Mr Scarlett concluded:

"Overall, this is a carefully written, 'strategic' document designed to restore or to reinforce the credibility of the ISG and to lay the groundwork for future conclusions in a final report ..."

733. Addressing tactics, Mr Scarlett added:

"We will concentrate on repeating our previous proposals for inclusion of further detail ... We will also point up the many opportunities for emphasising breaches of UNSCRs ..."

734. Mr Scarlett reported that his US interlocutors were:

"... very clear that 'comments' must come from the intelligence community and not the policy makers ... Duelfer is already feeling sensitive to 'pressure' from London ..."

735. Mr Blair and President Bush discussed the impact of the next ISG interim report on 16 March.⁴¹⁰ Mr Blair said that the first draft was better than expected. Although it contained nothing completely new, it showed that Iraq had been in clear breach of UN resolutions. It was important to keep some of the "colour" in the report, but even as it stood it was quite powerful: "it helped attack the argument that the Coalition should find physical evidence or the war was unjustified".

736. Mr Blair chaired a meeting to discuss the ISG on 17 March, attended by Mr Scarlett, Mr Howard, Mr Dowse, a senior SIS official and officials from No.10.⁴¹¹

737. In response to Mr Scarlett's advice on the timetable for the next interim report, Mr Blair commented:

"There could be no question of our seeking to influence the material in the report. Mr Duelfer must set out the facts as he saw them.

"But (a) an interim report was necessary (b) the material should be set out clearly (c) presentation of the report was important."

⁴¹⁰ Letter Cannon to Adams, 16 March 2004, 'Iraq WMD: Prime Minister's Video-conference with President Bush, 16 March'.

⁴¹¹ Minute Cannon to Scarlett, 18 March 2004, 'Iraq Survey Group'.

738. Mr Blair's initial view of the draft was that it was:

"... better than expected. The whereabouts of the physical evidence remained unresolved. But an unbiased reader could only conclude that Saddam had been in breach of SCRs and that he was involved in highly suspicious activities."

739. In discussion of the detailed text, the following points were identified:

- Mr Blair thought the section on procurement needed more detail and clarity.
- Mr Scarlett thought the points on Iraq's nuclear activities were "too firm". The report "needed to point out the possible non-nuclear dual use potential for some of this equipment".
- Mr Blair "wanted background explanations on 'dual use goods': the regime had gone to elaborate lengths to obtain material allegedly for fertiliser or insecticide production and the suspicious nature of this should be picked up".
- The report should make clear that "deception and concealment operations continued right up to the outbreak of the conflict" and ask "why such elaborate deception was needed if there was nothing to hide".
- The need to "underline that Blix had been systematically hindered", including over interviews with scientists.
- "Quotations from interviewees would add verisimilitude to the report."
- "We should underline the deliberate destruction of evidence and sanitisation of sites eg repairing of buildings during the conflict."
- There should be more material on Korean missile technology.

740. Mr Scarlett said that the interim report would "flag up problems over eg the alleged BW mobile laboratories and the unexpected absence of battlefield CW".

741. Mr Blair concluded that Mr Duelfer "needed to be clear about the 'top line' of his report". Based on the draft, that was that Saddam Hussein:

"(a) had been in clear breach of SCRs and (b) his behaviour raised immense suspicions, even if we had yet to pin down the exact nature of his machinations ... [T]here could be no question of influencing the material that appeared in the report. But it was important that, as a document, it held together as a logical, coherent and well-documented whole."

742. Mr Scarlett discussed the ISG report in a video conference with Mr Duelfer, Maj Gen Dayton and the CIA on 18 March.⁴¹²

743. Mr Scarlett told Sir Nigel Sheinwald that Mr Duelfer felt the report would need to be "heavily sanitised" to avoid public exposure of operational details of lines of enquiry

⁴¹² Minute Scarlett to Sheinwald, 18 March 2004, 'ISG'.

being pursued by the ISG. Two options were under consideration: sanitising the draft for public release, or producing a three- to five-page executive summary.

744. Mr Rycroft commented to Mr Blair that Mr Duelfer’s suggested approach was “worrying”, and that Mr Scarlett and Sir Nigel Sheinwald would be pursuing the issue with the US.⁴¹³

745. On 22 March, Mr Scarlett told Sir Nigel Sheinwald that the ISG had reported the previous day that Mr Duelfer had decided that the sanitised version of the full report would need to remove all the paragraphs on the direction of future investigation, as well as the items that were policy and source sensitive.⁴¹⁴ As a result, he had directed that work should focus on a short summary, which was “broadbrush” and gave “little supporting detail”.

746. Mr Scarlett added that the points which stood out were:

- “a focus on the use of illicit funds for procurement” although there was “a big gap between the funds raised (several billion dollars) and those allocated to the Military and Intelligence Commission (\$500m)”;
- “no CBW weapons found nor any agent production facilities”;
- “unresolved questions over research into CBW agents and planned chemical agent production, but little detail given”;
- “items on the high speed rail gun and explosive test facilities which have possible nuclear weapons implications”;
- “little new information in the section on delivery systems”.

747. Mr Scarlett “wondered” whether the change in Mr Duelfer’s position reflected “advice from Washington”, but he had “no evidence”, and it might well have been “generated within the ISG on operational grounds”.

748. Mr Scarlett wrote that he had “made it clear” to Mr Duelfer and to the CIA in Washington “that the clear preference for policy makers in London is for publication of a sanitised version of the full report”.

749. On instruction from Mr Blair, Sir Nigel Sheinwald raised UK concerns about the drafting of the report with Dr Rice on 22 March.⁴¹⁵ Sir Nigel told Dr Rice that:

“Duelfer now seemed to have decided against publishing any of the report itself, and had circulated a five page summary in the form of his intended Congressional testimony. This was in fact similar to the technique used last October by David Kay, which had not worked at the time. But Kay’s unclassified summary was a good deal more detailed than Duelfer’s draft. We seemed to be going backwards.”

⁴¹³ Manuscript comment Rycroft on Minute Scarlett to Sheinwald, 18 March 2004, ‘ISG’.

⁴¹⁴ Minute Scarlett to Sheinwald, 22 March 2004, ‘ISG Interim Report’.

⁴¹⁵ Letter Sheinwald to Adams, 22 March 2004, ‘Conversation with US National Security Adviser’.

750. Sir Nigel explained that the UK was “not asking for the report to be over-egged. We should be honest and say that there were no clear answers on what had happened.” But it was important that Mr Duelfer should be able to conclude that, at the very least, Iraq was in breach of UN resolutions.

751. Sir Nigel commented:

“The problem is that the draft is getting worse, not better from our point of view; and it will be difficult to secure a substantial change of direction at this stage. But we will try. John Scarlett is in touch separately with the CIA.”

752. Mr Scarlett discussed the ISG draft report at a video conference on 23 March with Mr McLaughlin, Ms Miscik, Mr Duelfer, Maj Gen Dayton, Mr Howard and an Australian representative.⁴¹⁶ Mr Duelfer was working on three documents: the classified report; an unclassified summary; and his personal statement to the Congressional Committees. The UK had seen the first two and was expecting the third shortly. Mr Duelfer emphasised that his personal statement would make clear that Iraq had been in breach of UN resolutions.

753. Mr Duelfer also reported that three senior analysts had left the ISG, unhappy with what they expected the report to cover. They had felt that Mr Duelfer’s reluctance to draw conclusions reflected political interference rather than his stated position that he needed to familiarise himself with his new responsibilities first. There were concerns that the three might make their views public.

754. Sir Nigel Sheinwald discussed the draft report with Dr Rice later on 23 March.⁴¹⁷ He said that the “key” was “a clear message that, whatever construction was to be placed on what the ISG had found or not found, UNSCRs had been breached and suspicious activity was continuing under Saddam”.

755. Sir Nigel commented that the discussion had been more encouraging than might have been expected. It could still prove difficult to persuade Mr Duelfer “to change tack completely”, but Sir Nigel’s contacts with Dr Rice and Mr Scarlett’s with the CIA seemed to have “shaken up” the CIA to some extent. There should now be an opportunity to strengthen the text to some degree.

756. Mr Duelfer visited London on 26 March to discuss the ISG Status Report.⁴¹⁸ He met Mr Howard’s WMD Task Force and Mr Scarlett and Sir Nigel Sheinwald.

⁴¹⁶ Minute Scarlett to Sheinwald, 23 March 2003, ‘ISG’.

⁴¹⁷ Letter Sheinwald to Adams, 23 March 2004, ‘Iraq: ISG’.

⁴¹⁸ Minute Scarlett to Sheinwald, 26 March 2004, ‘ISG’.

757. Mr Scarlett reported that the position had moved on significantly. Two documents had been prepared:

- the full, classified Status Report, addressed to Mr Tenet and to be copied to Congress; and
- Mr Duelfer’s testimony to the Congressional Committee hearings on 30 and 31 March.

758. Mr Scarlett wrote that the testimony replaced an earlier unclassified summary of the Status Report. It was a “more forceful” document and would need only light adjustment for public release.

759. Mr Scarlett also reported that Mr Duelfer intended to draft a final report over the summer and was looking to “surge” additional staff. Mr Howard was considering how the UK might help.

760. Mr Blair, who was shown Mr Scarlett’s report by Sir Nigel Sheinwald, commented in the margin that the additional staff were “obviously vital”.⁴¹⁹

761. Sir Nigel Sheinwald advised Mr Blair that the text of Mr Duelfer’s testimony was an improvement on earlier texts, but the media was “still likely to judge it thin” and the points Mr Duelfer intended to emphasise were “very process-oriented”.⁴²⁰

762. Sir Nigel wrote:

“... our pressure should now shift from the substance of the report (where we have made little headway) to the handling. If you agree I suggest the following steps on Monday [29 March]:

- We need to ensure that the CIA take as little as possible out for the sanitised version. We need all the detail we can secure.
- Duelfer should prepare a short summary ... This must include a clear statement of breach of SCRs ... The summary needs to bring out new and suspicious evidence. The Assessments Staff should pass a draft to the Americans.
- ... [H]e needs to prepare a clear brief statement for the broadcast media ...
- We need supporting media appearances in both the US and UK, in parallel. The Foreign Secretary is being lined up here. We need to ensure that the Americans have made a similar plan – last time it was all last minute.
- This will require action on several fronts: Hill/Bartlett, Scarlett/CIA, me/ Condi, possibly Jack [Straw]/Powell. It will be too late by the time you speak to the President on Tuesday [30 March].
- ...

⁴¹⁹ Manuscript comment Blair on Minute Scarlett to Sheinwald, 26 March 2004, ‘ISG’.

⁴²⁰ Minute Sheinwald to Prime Minister, 26 March 2004, ‘Iraq: ISG’.

“Do you agree that these are the main things we should be focusing on?”

763. Mr Blair replied: “Yes but if the report is weak it will be v[ery] hard to succeed.”⁴²¹

764. No.10 sent a separate record of the meeting between Mr Duelfer and Sir Nigel Sheinwald and Mr Scarlett to Mr Straw’s Private Office.⁴²² The record stated:

- Duelfer said that he hoped to put together a ‘compelling case’ that the Saddam regime had put in place a system to ‘sustain the intellectual capital’ for a WMD programme, with a ‘break-out capacity’ once a decision to reinstate the programme was taken.
- Duelfer said that, while he was slightly more optimistic than when he took up the job that actual WMD might be found, the odds were still that they would not be located. He was looking into the possibility that some had been smuggled into Syria.
- He had not realised the extent of the fears of potential interviewees, either of prosecution by the Americans or of assassination by former colleagues.
- If stocks of WMD did not exist, then they would have been destroyed long before the Iraq campaign.
- The core group around Saddam had been remarkably successful in eroding sanctions up to 9/11, including by manipulating some members of the Security Council. He believed that the ISG would be able to demonstrate that the regime had been thwarting UN sanctions and making plans to resuscitate its WMD programmes ... It was clear that the regime’s ultimate goal had been to obtain nuclear weapons. There had been a policy of continuing WMD development under the cover of ‘dual use’ programmes.
- ...
- Duelfer said that Washington might have misled us about his touchiness about UK advice: in fact he welcomed advice although he could not guarantee he would take it. He would take into account advice on public perceptions in the UK.
- The interim report would be a status report, with no new revelations, and a forward look ... Duelfer would certainly not be pulling back on Kay’s fundamental contention that Saddam had been in clear breach of resolution 1441.”

765. Mr Blair commented that Mr Duelfer “still needs to list any UN breaches with supporting evidence”.⁴²³

⁴²¹ Manuscript comment Blair on Minute Sheinwald to Prime Minister, 26 March 2004, ‘Iraq: ISG’.

⁴²² Letter Cannon to Adams, 26 March 2004, ‘Iraq Survey Group’.

⁴²³ Manuscript comment Blair on Letter Cannon to Adams, 26 March 2004, ‘Iraq Survey Group’.

766. The meeting of the JIC Sub-Committee on Iraq/WMD on 29 March, chaired by Mr Scarlett, discussed plans for responding to Mr Duelfer’s testimony, including a draft summary of key points which had been sent to Mr Duelfer.⁴²⁴

767. The key points included:

- “Iraq was remarkably successful in eroding UN sanctions. Containment strategy was being systematically undermined by several countries including key members of the UNSC.”
- “Iraq derived billions of dollars between 1999 and 2003 from oil smuggling, kickbacks and abuse of the Oil-for-Food [OFF] programme. This was outside the control of the UN and free for the regime to spend without restriction.”
- “ISG has information regarding dual-use facilities and ongoing research suitable for a capability to produce CBW at short notice.”
- “ISG has also found evidence to indicate Iraqi interest in preserving and expanding the knowledge needed to design and develop nuclear weapons.”
- “In addition ... the ISG has continued to uncover very robust programmes for delivery systems.”
- “The ISG is focusing on the broader picture of regime intent and how the technical developments fit into this picture in an integrated manner.”

The ISG Status Report, 30 March 2004

768. Mr Blair and President Bush discussed the impact of the ISG Status Report on 30 March.⁴²⁵ Mr Blair said that the draft he had seen was quite good and certainly better than it might have been. Expectations in the UK were low. The more detail that could be declassified and put into the text the better. Mr Duelfer’s methodology was better than Dr Kay’s, which had not been rigorous.

769. Mr Duelfer delivered his testimony to Congress later on 30 March, explaining:

“This Report is very limited in scope. It is intended to provide a status report of my efforts at steering the ISG. It is not a preliminary assessment of findings.”⁴²⁶

770. The Status Report incorporated many of the key points sent to Mr Duelfer by the UK:

- Challenges. Iraqi managers, scientists and engineers were extremely reluctant to speak freely and documents were not easy to interpret. The ISG still did not fully understand regime intentions.

⁴²⁴ Minute Scarlett to Howard, 29 March 2004, ‘JIC Sub-Group Meeting on Iraq WMD’ attaching Paper [unattributed], [undated], ‘ISG Report – Summary of Key Points’.

⁴²⁵ Letter Quarrey to Owen, 30 March 2004, ‘Prime Minister’s VTC with Bush, 30 March: Iraq’.

⁴²⁶ Central Intelligence Agency, 30 March 2004, *Testimony by Charles Duelfer on Iraqi WMD Programs*.

- Procurement. Iraq derived billions of dollars between 1999 and 2003 from oil smuggling, kickbacks and abuse of OFF, money which was outside the control of the UN. Iraq imported banned military weapons and technology and dual-use goods through OFF contracts.
- Denial and deception. The ISG had uncovered more details about Iraq's efforts to deceive UNSCOM and then UNMOVIC right up to the invasion in March 2003.
- Biological and chemical weapons. The ISG had new information on Iraq's dual-use facilities and research into short-notice production of CBW. "Iraq did have facilities suitable for the production of biological and chemical agents needed for weapons. It had plans to improve and extend and even build new facilities."
- Nuclear weapons. ISG analysis suggested "Iraqi interest in preserving and expanding the knowledge needed to design and develop nuclear weapons".
- Delivery systems. The ISG had continued to uncover "a very robust program for delivery systems that were not reported to the UN. New information has been discovered relating to long range ballistic missile development and Unmanned Aerial Vehicles (UAVs)."
- Regime intent. Mr Duelfer had instilled a new focus on the question of regime intent. It was "critically important to understand the intentions of the regime" when putting other activities into context.

771. Mr Blair commented on the absence of media coverage of Mr Duelfer's testimony:

"Amazing it got no publicity. Sh[oul]dn't we now publicise it? What is our Iraq SCU [Strategic Communications Unit] doing?"⁴²⁷

772. Sir Nigel Sheinwald advised that the Government "sh[oul]d not try to publicise this Report now". He asked Mr David Quarrey, a Private Secretary in No.10, to discuss the issue with Mr Scarlett, the MOD and the FCO before putting advice to Mr Blair.⁴²⁸

773. On 8 April, Mr Quarrey advised Mr Blair:

"The Report received little coverage, although it did usefully get some information into the public domain. But things have moved on now. In current circumstances (ie the security situation) it would be extremely difficult to get further coverage in anything other than negative terms."⁴²⁹

⁴²⁷ Manuscript comment Blair on Minute Scarlett to Sheinwald, 30 March 2004, 'ISG'.

⁴²⁸ Manuscript comment Sheinwald on Minute Scarlett to Sheinwald, 30 March 2004, 'ISG'.

⁴²⁹ Minute Quarrey to Prime Minister, 8 April 2004, 'ISG'.

774. Also on 8 April, Mr Wood reported from Washington that there were likely to be three UK angles to the Report of the Senate Intelligence Committee into pre-conflict intelligence on Iraq:

- the reference to yellowcake in President Bush’s State of the Union speech in 2003, on which the Committee was likely to be more critical of the US than the UK;
- the “45 minute claim” on which the Report would conclude that there was a basis in intelligence for the public claim; and
- [...].⁴³⁰

The transfer of power to the Iraqi Interim Government

775. On 29 March, a senior SIS officer sought guidance from Mr Ehrman on the responsibilities of the future Government of Iraq for counter-proliferation and “the legacy of CBRN related capabilities”.⁴³¹ The Coalition had had a difficult year. Questions to consider included:

- where responsibility for those issues would lie in the CPA and its successors;
- how policy-makers saw the UK helping Iraq solve the “CBRN riddles remaining from the past”; and
- the point at which international organisations would be brought in to help Iraq and the amount of preparatory work that would be necessary with the US.

776. Mr David Landsman, Mr Dowse’s successor as the Head of FCO Counter-Proliferation Department, co-ordinated Whitehall discussion.⁴³² On 31 March, he sought views on:

- how long the ISG would be needed;
- the legal basis for ISG operations after the transfer of sovereignty;
- how the UK would engage with Iraq on other counter-proliferation activities;
- what sort of co-operation programmes and assistance should be established; and
- when to bring in international agencies.

777. A DIS official replied on 3 April.⁴³³ He reported that US thinking on the future of the ISG was fluid. The ISG’s work had not been included in Iraq’s Transitional Administrative Law (TAL) (see Section 9.2) and it was not yet possible to advise on the legal basis for the ISG’s work in Iraq after the transfer of sovereignty. The WMD Task Force had told Mr Duelfer that it hoped it would be possible to produce a final report within the next

⁴³⁰ Letter Wood to Scarlett, 8 April 2004, ‘Iraq WMD: Activity in the Senate Intelligence Committee’.

⁴³¹ Letter SIS [senior officer] to Ehrman, 29 March 2004, [untitled].

⁴³² Letter Landsman to Howard, 31 March 2004, ‘Iraq: Implementing Counter-Proliferation Policy After June’.

⁴³³ Letter [DIS] to Peters, 3 April 2004, ‘Iraq: Implementing Counter-Proliferation Policy After June’.

few months but, in practice, the UK would have to continue to support the ISG until Mr Duelfer was ready to produce his report.

778. The Op ROCKINGHAM weekly update for 2 to 7 April stated that deteriorating security in Baghdad and Basra was affecting ISG operational planning.⁴³⁴ A shortage of vehicles with armoured protection was complicating efforts to complete outstanding collection activities before the end of June.

779. On 13 May, Mr Howard wrote to Mr Scarlett about the future of the ISG.⁴³⁵ He advised that the ISG still had much work to complete, including collection activities at suspect sites, interviews of HVDs, and analysis of millions of documents. Its ability to continue those tasks after 30 June was uncertain and future command and control arrangements were in a state of “flux”.

780. Mr Howard reported that Mr Duelfer expected to “produce a detailed report” in the late summer/early autumn. While that would “not necessarily draw the line underneath the question of WMD in Iraq” it was “likely to make provisional conclusions”. That would “almost certainly signify in the public mind the ‘final word’ from the ISG on Iraq WMD”.

781. After the transfer of sovereignty on 30 June, the ISG would focus increasingly on analysis of Iraq’s intentions and future WMD programmes, and decision-making in Saddam Hussein’s regime. The report was “unlikely to focus on whether Iraq has disarmed, which was of course UNMOVIC’s focus”.

782. Mr Howard also wrote that:

- The ISG was “likely to survive” to deal with other tasks after the release of its “final report” on WMD.
- The UK had “benefited considerably” from having the ISG Deputy Commander post.
- Deteriorating security in Iraq had impeded the ISG’s effectiveness. The UK continued to fulfil its duty of care to staff and would monitor closely the post-transfer of sovereignty security situation.

783. At No.10’s request, Mr Dowse prepared an update on the ISG on 21 May.⁴³⁶

784. Mr Dowse covered much the same ground as Mr Howard. He wrote:

- ISG planning since March had been hampered significantly by poor security throughout Iraq, high staff turnover, difficulty in filling posts and some equipment shortages.
- A major part of current ISG activity was “combating the efforts of insurgent networks to develop and use chemical weapons against Coalition forces”.

⁴³⁴ Op ROCKINGHAM Weekly No.41, 2-7 April 2004.

⁴³⁵ Letter Howard to Scarlett, 13 May 2004, ‘Iraq: Future of the Iraq Survey Group (ISG)’.

⁴³⁶ Minute Dowse to Quarrey, 21 May 2004, ‘Iraq Survey Group’.

The ISG believed insurgent groups were “looking to draw on the knowledge and experience of people previously engaged with Iraq’s CW programme”, although the scale of that effort was “unclear”. The use of mustard and sarin artillery shells in two recent improvised explosive devices was “not a reliable indicator”. Those using the weapons were “probably unaware of their nature”. The rounds were in “a very poor condition and almost certainly part of Iraq’s pre-1991 stockpile”.

- Two consistent themes were emerging from the debriefing of HVDs:
 - “CW was used in the Iran-Iraq war, but remaining stocks had been destroyed in 1991, without records”; and
 - after 1991 Saddam Hussein was “determined to maintain scientific expertise for post-sanctions reconstruction of WMD programmes”.
- The US had stated that the ISG mission would not change after 30 June, the end of the CPA, but Maj Gen Dayton would be replaced by a one-star US Marine Corps officer.
- The next report would be the ISG’s last. Mr Duelfer’s aim was to have a draft ready by the end of June, to be worked on during July and released in August. It was likely to focus on:
 - “Iraqi contravention of sanctions in the procurement of goods that could be used to support WMD programmes”;
 - diversion of OFF funds; and
 - a broader picture of the regime’s “strategic intent” towards WMD.

785. In his note to No.10 officials on 23 May, Mr Blair wrote in relation to the ISG that it:

“... seems to be doing nothing. Surely it is absurd that they will say nothing is found, though there was strategic intent; when, in reality, they have been unable to look. They need to leave actual WMD an open issue. Also can I have an assessment of the conventional stockpiles in Iraq at the end of the war.”⁴³⁷

786. In response to the update from Mr Dowse, Mr Blair commented:

“... the ISG should not just conclude that there was strategic intent but no WMD were found, when it is clear that they have been unable to look. They need to leave WMD as an open issue.”⁴³⁸

787. No.10 asked the “JIC/MOD” for advice on how to get the result Mr Blair wanted.

788. In his discussion with President Bush on 26 May (see Section 9.2), Mr Blair stated that the ISG should not be forgotten and that proper reporting on what it was up to was needed.⁴³⁹

⁴³⁷ Note Blair to Powell, 23 May 2004, ‘Iraq Note’.

⁴³⁸ Letter Quarrey to Owen, 24 May 2004, ‘Iraq’.

⁴³⁹ Letter Quarrey to Owen, 26 May 2004, ‘Iraq: Prime Minister’s VTC with Bush, 26 May’.

789. Mr Duelfer called on Mr Scarlett and Mr Tony Pawson, Mr Howard's successor as DCDI, on 28 May.⁴⁴⁰ Mr Scarlett reported the main points from both discussions to Sir Nigel Sheinwald:

- ISG work. Interviews with HVDs, including Saddam Hussein, remained a priority but were yielding little specific information. The ISG was still trying to establish whether there were specific Iraqi policies to maintain or develop industrial capacity with an embedded or inherent WMD production capability. High priority was being given to work on terrorists' and insurgents' capacity to obtain or produce WMD for immediate use.
- ISG status. Mr Tenet had assured Mr Duelfer that the ISG's status would not change while Mr Duelfer remained in charge. For legal purposes, after 30 June the ISG would have to fall under the remit of the Multi-National Force – Iraq (MNF-I). Day-to-day operational command should remain with CENTCOM.
- ISG report. Mr Duelfer envisaged that a first draft would be ready by June but a final text would “not be ready until August”. This would be a “comprehensive” report, but not a “final” one. It would have much to say on regime intent and would make clear many questions remained open. Mr Duelfer would not commit to specific dates for publication or his departure from the ISG.
- Management. Mr Duelfer was anxious to work with the UK. He was open to comments and views on content and presentation, but was clear that the report would be his own. Mr Pawson and Mr Dowse would stay in close touch with Mr Duelfer and Washington.
- Release of HVDs. There was concern that, with the release of most HVDs before 30 June, some might go to the press to allege mistreatment and press the case that WMD had never existed. There was a danger that could undermine the authority of the ISG report.

790. In his memoir, Mr Duelfer explained that support for the ISG was at its highest during June 2004, in the weeks leading up to the transfer of sovereignty:

“ISG analysts developed new targeting packages ... Planning for a final pulse of raids was accelerated ... All the agencies in Washington and the military in the field understood the importance of getting to the bottom of the WMD question.”⁴⁴¹

791. Maj Gen Dayton handed over command of the ISG to Brigadier General Joseph McMenemy on 12 June.⁴⁴²

792. Before his departure, Maj Gen Dayton discussed the future of the ISG with Mr Pawson. Mr Pawson reported to Mr Scarlett that, while some reconfiguring of the ISG

⁴⁴⁰ Minute Scarlett to Sheinwald, 3 June 2004, 'Iraq Survey Group: Update'.

⁴⁴¹ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

⁴⁴² Letter Pawson to Scarlett, 9 June 2004, 'Iraq: WMD: Future of the Iraq Survey Group'.

was inevitable with the release of HVDs, there was no reason to think that a separation of its component parts was imminent.

Mr Tenet's resignation

Mr Tenet announced his resignation as Director of Central Intelligence (DCI) on 3 June.⁴⁴³ Mr McLaughlin was appointed Acting Director.

Mr Tenet stepped down formally on 11 July.⁴⁴⁴

In his memoir, Mr Duelfer wrote:

“McLaughlin recognized my position and stepped in to make sure I was not left dangling. He would provide, as he had been all along, direct personal attention to the ISG on an almost daily basis”.⁴⁴⁵

793. On 6 June, the Security Council adopted resolution 1546 (2004) (see Section 9.2). The resolution welcomed the beginning of a new phase in Iraq's transition to a democratically elected government, and looked forward to the end of the Occupation by 30 June 2004.⁴⁴⁶

794. In operative paragraph (OP) 21, the Security Council decided that the prohibition on the sale and supply of arms to Iraq would “not apply to arms or related material required by the Government of Iraq or the multinational force to serve the purposes of this resolution”.

795. In OP22, the Council noted that OP21 did not affect material prohibited by or the obligations in paragraphs 8 and 12 of resolution 687 (1991) and paragraph 3(f) of resolution 707 (1991). It also reaffirmed “its intention to revisit the mandates” of UNMOVIC and the IAEA.

796. A letter from Secretary Powell to the President of the Security Council was annexed to the resolution. Secretary Powell confirmed that:

“... the MNF stands ready to continue to undertake a broad range of tasks to contribute to the maintenance of security and to ensure force protection. These include ... the continued search for and securing of weapons that threaten Iraq's security.”

797. On 24 June, Mr Douglas Feith, US Under Secretary of Defense for Policy, informed Mr Simon Webb, MOD Policy Director, of the post-30 June arrangements for the ISG.⁴⁴⁷ Resolution 1546 envisaged that the MNF-I would have the task of searching for and

⁴⁴³ *The New York Times*, 3 June 2004, ‘Time is Right to Move On’, *CIA Director Tells Employees*.

⁴⁴⁴ CIA News & Information, 8 July 2004, *CIA Director Honored at Farewell Ceremony*.

⁴⁴⁵ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

⁴⁴⁶ UN Security Council resolution 1546 (2004).

⁴⁴⁷ Minute Thornton to Policy Director, 24 June 2004, ‘Conversation with Doug Feith about the future of the ISG’.

securing weapons that threatened Iraq's security. The ISG would therefore move from CENTCOM to MNF-I command.

798. Mr Webb said that the UK would continue to support the ISG, though resources were strained. The problem would get worse in the autumn, when reductions of scale might be desirable.

799. Mr Webb also told Mr Feith that Mr Duelfer's report would be "a significant political event in the UK", in which Mr Blair took a personal interest. The UK looked forward to seeing a draft in advance.

800. Control of the ISG transferred from CENTCOM to the MNF-I after the transfer of sovereignty on 28 June.⁴⁴⁸

801. At the end of June, the ISG comprised 1,787 personnel: 1,722 from the US, 54 from the UK and 11 from Australia.⁴⁴⁹

802. On 1 July, Mr Straw was advised that the only grounds for internment after 30 June should be "imperative reasons of security or criminal activity".⁴⁵⁰ FCO legal advice made clear that internment for intelligence exploitation alone was not sufficient. The British Embassy Washington had already been instructed to raise with the US UK concerns about the basis for continued US internments that did not fall into the two categories recognised by the UK.

803. The FCO stated that restrictions on the activities of UK personnel in the ISG were unlikely to affect its overall operational capability, but were likely to be unwelcome to the US military at a time when US and UK resources were under considerable pressure. There was a risk that, during a critical time for the preparation of the next ISG report, the UK might be fully involved only in the ISG's assessment work and missions compatible with UK policy.

804. The FCO also reported that Dr Ayad Allawi, the Iraqi Prime Minister, had expressed strong support for the ISG which he hoped would remain active for the next six months or so. There had not, however, been detailed discussions between the ISG and the Iraqi Interim Government (IIG) about how the ISG would operate. Prime Minister Allawi was reported to be "convinced that WMD will be found".

805. Mr Ehrman advised Mr Straw's Private Office:

"We pressed the US to address the future of ISG operations when SCR 1546 was being negotiated. They did not want to do so. Eventually they agreed to the phrase in [Secretary] Powell's letter ['the continued search for and securing of weapons that threaten Iraq's security'] ... The UK contingent makes up only 3% of the ISG's

⁴⁴⁸ Op ROCKINGHAM Daily, 29 June 2004.

⁴⁴⁹ Minute Smith to PS [FCO], 1 July 2004, 'Iraq – Detention Issues and the ISG'.

⁴⁵⁰ Minute Smith to PS [FCO], 1 July 2004, 'Iraq – Detention Issues and the ISG'.

strength. Its activities will now need to be circumscribed ... This will be unwelcome to the US but that is the consequence of the arrangements put in place by 1546.”⁴⁵¹

806. The Op ROCKINGHAM weekly update of 1 July reported that:

- The UK element of the ISG had withdrawn from all debriefing activity while discussions continued on the legal basis for future ISG operations.
- Prime Minister Allawi had nominated Dr Mowaffak al-Rubaie, his National Security Adviser, as the IIG point of contact for the ISG.⁴⁵²

The Butler and Senate Intelligence Committee Reports, July 2004

807. In a Note for President Bush on 16 June, Mr Blair stated that the truth on Iraq’s WMD was probably that Saddam Hussein:

“ ... was developing long range ballistic missile capability in breach of UN resolutions; he probably had no or no large stockpiles of tactical CW or BW weapons; but he retained the capability and expertise to recommence production as soon as he could, again in breach of UN resolutions.”

808. Mr Blair’s “hunch” was that the Butler Review would reach similar conclusions. Both Lord Butler and the Senate Intelligence Committee were “bound to be critical ... in certain respects”.

809. On 16 June, Sir Nigel Sheinwald sent Dr Rice a Note written by Mr Blair for President Bush about the need for a strategic plan for Iraq (see Section 9.2).⁴⁵³

810. In relation to the need “to deal with any WMD/intelligence issues”, Mr Blair wrote that he remained “deeply concerned” about WMD:

“The public need an explanation and there will linger a real trust/truth issue ...

“At present the public debate lurches between the two extremes: pro-war people insist the intelligence was right, but the plain fact is no WMD has been found; anti-war people claim it was all a fraud, as if Saddam never really had any WMD, which is plainly fatuous ... [T]he ISG thinking, and probably the truth, is somewhere in between. He was developing long range ballistic missile capability in breach of UN resolutions; he probably had no or no large stockpiles of tactical CW or BW weapons; but he retained the capability and expertise to recommence production as soon as he could, again in breach of UN resolutions. And, of course, with the missile capability, he could fit any warhead he wanted at the appropriate time.

⁴⁵¹ Manuscript comment Ehrman, 2 July 2004, on Minute Smith to PS [FCO], 1 July 2004, ‘Iraq – Detention Issues and the ISG’.

⁴⁵² Op ROCKINGHAM Weekly No.53, 25 June – 1 July 2004.

⁴⁵³ Letter Sheinwald to Rice, 16 June 2004, [untitled], attaching [Blair to Bush] Note.

So he had strategic intent and capability on WMD; and an active programme on ballistic missiles.

“Such an explanation would mean that some of the intelligence upon which we acted was wrong; but that nonetheless the threat was there, as was the breach of UN resolutions. It would also explain why the picture was so confused and why, whilst the exact basis of action was not as we thought, the action was still justified.”

811. Mr Blair’s “hunch” was that the Butler Review would reach similar conclusions. Both Lord Butler and the Senate Intelligence Committee were “bound to be critical ... in certain respects”. But the US and UK had “to avoid the absurd notion that therefore there was no threat at all, as if 12 years of history and UN resolutions never existed”.

812. Mr Blair suggested that, if Mr Duelfer were thinking along those lines, it made sense urgently to investigate the possibility of publishing the ISG report at the same time as the Senate and Butler Reports. That would “provide the clear evidential basis for saying there was indeed a threat, even if it was not the threat that had been anticipated”.

813. Mr Blair added:

“It may be impossible but if at all possible we should have this issue dealt with and lanced all at the same time.”

814. During a video conference with President Bush on 22 June, Mr Blair said that Mr Duelfer seemed to be planning to publish in August. That was up to him, but with other WMD reports due to be published earlier, it might make sense to bring the date forward.⁴⁵⁴

815. Reporting on a meeting in London on 2 July, Mr Landsman wrote that Mr Duelfer had been insistent that there was still plenty for ISG to do and that he had “repeatedly mentioned CW/terrorism”.⁴⁵⁵

816. Mr Duelfer was reported to have said:

- The timing for his next report “could slip a little”.
- There was “potentially a good story to tell on the Saddam regime strategic intent”, but he was “unhappy about the quality of the drafting produced in the ISG”.
- He “wanted to use his report to challenge assumptions”.
- Saddam Hussein’s regime was “highly arbitrary and personalised: we should not expect to find carefully set out plans and consultation exercises”.
- He “hoped to be able to point to a ‘sharp breakout capability’”.

⁴⁵⁴ Letter Quarrey to Owen, 22 June 2004, ‘Prime Minister’s VTC with Bush, 22 June: Iraq’.

⁴⁵⁵ Minute Landsman to FCO [junior official], 5 July 2004, ‘Iraq WMD: Meeting with Duelfer, 2 Jul’.

- He was “surprised” by Prime Minister Allawi’s optimism that “WMD were there to be found”.
- UNMOVIC’s “excellent information base was ‘about an Iraq which no longer existed””.
- “[W]e should begin to consider to what extent responsibility could eventually go to the Iraqis themselves”.
- A possible cache in Syria was “not out of the question”, but “Syria was ‘well covered’ and something should have come to light by now”.

817. Mr Blair discussed Iraq with President Bush again during a video conference on 6 July.

818. The briefing for Mr Blair advised that President Bush might raise the Butler and Senate Intelligence Committee Reports, but that there was “no point in pushing again on the ISG – Duelfer will not report before August and further pressure will not change this”.⁴⁵⁶

819. The record of the video conference between Mr Blair and President Bush on 6 July did not include any reference to discussion of the ISG or to the Butler and Senate Intelligence Committee Reports.⁴⁵⁷

Mr Blair’s evidence to the Liaison Committee, 6 July 2004

820. During his appearance before the Liaison Committee on 6 July, Mr Blair was asked about the implications of the failure to find WMD.⁴⁵⁸

821. In his responses, Mr Blair made a number of points, including:

- He had “to accept that we have not found them [stockpiles of WMD] and that we may not find them. What I would say very strongly, however, is that to go to the opposite extreme and say, therefore, that no threat existed from Saddam Hussein would be a mistake. We do not know what has happened to them; they could have been removed, they could have been hidden, they could have been destroyed.”
- The ISG had already indicated “quite clearly that there have been breaches” of UN resolutions.
- The purpose of military action “was in order to enforce” the UN resolutions.
- It was “absolutely clear from the evidence that has already been found ... that he [Saddam] had the strategic capability, the intent and that he was in multiple breaches”.

⁴⁵⁶ Minute Quarrey to Prime Minister, 6 July 2004, ‘VTC with President Bush, 6 July’.

⁴⁵⁷ Letter Quarrey to Owen, 6 July 2004, ‘Prime Minister’s VTC with Bush, 6 July: Iraq’.

⁴⁵⁸ Liaison Committee of the House of Commons, Session 2003-2004, *Oral evidence taken before the Liaison Committee on Tuesday 6 July 2004*, Qs 236-271.

- He genuinely believed “that those stockpiles of weapons were there; I think that most people did, and that is why the whole of the international community came together and passed the United Nations resolution it did [1441 adopted in November 2002], but that is a very different thing from saying that Saddam was not a threat; the truth is he was a threat, to the region and to the wider world, and the world is a safer place without him.”
- He “would not accept” that Saddam Hussein “was not a threat and a threat in WMD terms”.
- He did “not believe we would have got the progress on Libya, on AQ Khan, on Iran and on North Korea” without Iraq.
- In his view, “the reason ... it was important that we took a stand on the WMD issue, and the place ... to take that stand was Iraq because of the history of breaches of UN resolutions and the fact that they used WMD ... is that if you carry on with this proliferation of WMD with these highly repressive states developing it ... at some point you would have this new form of global terrorism and those states with WMD coming together.”

The Senate Intelligence Committee Report, 9 July 2004

822. On 9 July, the Senate Committee on Intelligence published its report on the *U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq*.⁴⁵⁹ The main conclusions included:

- Most of the key judgements in the October 2002 US National Intelligence Estimate (NIE), ‘Iraq’s Continuing Programs for Weapons of Mass Destruction’, either overstated, or were not supported by, the underlying intelligence reporting. A series of failures, particularly in analytic tradecraft, led to the mischaracterisation of the intelligence.
- The intelligence community did not accurately or adequately explain to policy-makers the uncertainties behind the judgements in the October 2002 NIE.
- The intelligence community suffered from a collective presumption that Iraq had an active and growing WMD programme. This “group think” led intelligence community analysts, collectors and managers both to interpret ambiguous evidence as conclusively indicative of a WMD programme and to ignore or minimise evidence that Iraq did not have active and expanding weapons of mass destruction programmes. This presumption was so strong that formal mechanisms established to challenge assumptions and group think were not used.

⁴⁵⁹ Select Committee on Intelligence, 9 July 2004, *Report of the Select Committee on Intelligence on the U.S. Intelligence Community’s Prewar Intelligence Assessments on Iraq*.

- In a few significant instances, the analysis in the NIE suffered from a “layering” effect, with assessments built on previous judgements without carrying forward the uncertainties of the underlying judgements.

823. Between September 2006 and June 2008, the Senate Intelligence Committee published additional detail on many of the issues addressed in the July 2004 Report.⁴⁶⁰ The five parts of its “Phase II” Report covered the expanded investigation into pre-conflict intelligence announced by the Committee in February 2004:

- ‘The Use by the Intelligence Community of Information Provided by the Iraqi National Congress’ (September 2006);
- ‘Postwar Findings About Iraq’s WMD Programs and Links to Terrorism and How They Compare With Prewar Assessments’ (September 2006);
- ‘Prewar Intelligence Assessments about Postwar Iraq’ (May 2007);
- ‘Report on Whether Public Statements Regarding Iraq by US Government Officials Were Substantiated by Intelligence Information’ (June 2008);
- ‘Report on Intelligence Activities Relating to Iraq Conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans Within the Office of the Under Secretary of Defense for Policy’ (June 2008).

CIG Assessment, 13 July 2004: ‘A Review of Intelligence on Possible Links Between Al Qaida and Saddam’s Regime’

On 13 July, at the request of the Cabinet Office, the CIG produced an Assessment reviewing the links between Al Qaida and Saddam Hussein’s regime.⁴⁶¹

The Key Judgements were:

- “Nothing we have learnt since the fall of Saddam Hussein’s regime has invalidated previous JIC judgements on the possible links between the regime and Al Qaida.
- There were some contacts between the regime and Al Qaida during the 1990s, but they did not progress beyond the exploratory stage and the degree of practical co-operation, if any, was limited.
- Some sources ... asserted that Al Qaida was seeking chemical and biological (CB) expertise. But the intelligence is not strong. Al Qaida did not receive CB material from Iraq.
- Saddam Hussein’s regime was not involved with the 9/11 attacks.
- Al Qaida associates such as [Abu Musab] al-Zarqawi and members of Ansar al-Islam were known by the regime to be operating in Iraq and the Kurdish Autonomous Zone (KAZ) before Coalition action in 2003, but the exact relationship between the regime and Al Qaida-linked terrorists remains unclear.

⁴⁶⁰ US Senate Select Committee on Intelligence, 5 June 2008, *Senate Intelligence Committee Unveils Final Phase II Reports on Prewar Iraq Intelligence*.

⁴⁶¹ [CIG Assessment, 13 July 2004, ‘A Review of Intelligence on Possible Links Between Al Qaida and Saddam’s Regime’](#).

- Al-Zarqawi made Iraq his base for jihad on his own initiative, but with plans in line with the Al Qaida global jihadist agenda.”

The additional points in the Assessment included:

Pre 9/11

- After its defeat in 1991, the Iraqi regime “sought to make contact with a number of Islamist groups”.
- “Senior Al Qaida detainees have revealed that Bin Laden was personally against any formal alliance with the Iraqi regime, but that others ... believed some contact would be useful.”
- The exact nature of early contacts remained “unclear”.
- Intelligence indicated that “further contacts took place in the late 1990s”.
- There was doubt about the reliability of some of the reporting, but “sufficient intelligence to assess there was some contact throughout the 1990s”.

Post 9/11

- After the fall of the Taliban in Afghanistan, “reports suggested that Iraq was being used as a transit route for Islamist terrorists”, and: “By 2002 Al Qaida-linked terrorists had established a presence ... some involved in the development of CB substances at a facility near Halabjah, run by Ansar al-Islam.”
- It was “likely that the regime knew these Islamist terrorists were operating in Iraq, though it would not have been able to act against them in the KAZ”.
- “Post war intelligence” suggested that “in Baghdad and elsewhere some effort ... was made to arrest Al Qaida-linked terrorists”.

The Butler Report, 14 July 2004

824. In its meeting on 7 July, the JIC discussed the forthcoming publication of the Butler Report.⁴⁶² Sir David Omand stated that it “would be the first time that such an extensive list of JIC reports had been made public”. It was “in the JIC’s interests that the Report showed that the right kind of warnings” had been given, and that “there was a depth to the intelligence and assessment on Iraq”. There were, however, “serious security implications” and the danger of setting precedents. Redactions to the extracts from JIC Assessments would need to be agreed before publication.

825. The Butler Report was published on 14 July.⁴⁶³

826. In the House of Commons, Mr Blair assessed the Report’s implications for two questions that had persisted throughout the debate on Iraq:

“One is an issue of good faith – of integrity. This is now the fourth exhaustive inquiry that has dealt with the issue. This Report, the Hutton Inquiry, the Report of

⁴⁶² Minutes, 7 July 2004, JIC meeting.

⁴⁶³ *Review of Intelligence on Weapons of Mass Destruction* [“The Butler Report”], 14 July 2004, HC 898.

the Intelligence and Security Committee before it, and that of the Foreign Affairs Committee before that, found the same thing. No one lied. No one made up the intelligence. No one inserted things into the dossier against the advice of the intelligence services. Everyone genuinely tried to do their best in good faith for the country in circumstances of acute difficulty. That issue of good faith should now be at an end.

“But there is another issue. We expected – I expected – to find actual usable chemical or biological weapons shortly after we entered Iraq ... Lord Butler, in his Report, says: ‘We believe that it would be a rash person who asserted at this stage that evidence of Iraqi possession of stocks of biological or chemical agents, or even of banned missiles, does not exist or will never be found.’ However, I have to accept that, as the months have passed, it has seemed increasingly clear that, at the time of invasion, Saddam did not have stockpiles of chemical or biological weapons ready to deploy. The second issue is therefore this: even if we acted in perfectly good faith, is it now the case that in the absence of stockpiles of weapons ready to deploy, the threat was misconceived and therefore the war was unjustified?

“I have searched my conscience ... to answer that question. My answer would be this: the evidence of Saddam’s weapons of mass destruction was indeed less certain and less well founded than was stated at the time ... However ... he retained complete strategic intent on WMD and significant capability ... He had no intention of ever co-operating fully with the inspectors, and he was going to start up again the moment the troops and the inspectors departed, or the sanctions eroded. I say further that if we had backed down in respect of Saddam, we would never have taken the stand that we needed to take on weapons of mass destruction, we would never have got the progress on Libya, for example, that we achieved, and we would have left Saddam in charge of Iraq, with every malign intent and capability still in place, and with every dictator with the same intent everywhere immeasurably emboldened.”⁴⁶⁴

827. Mr Blair commented on the Butler Report’s statement that:

“... with hindsight making public that the authorship of the dossier was by the JIC was a mistake. It meant that more weight was put on the intelligence than it could bear, and put the JIC and its chairman in a difficult position. It recommends in future a clear delimitation between Government and the JIC, perhaps by issuing two documents. I think this is wise, although I doubt that it would have made much difference to the reception of the intelligence at the time. The Report also enlarges on the criticisms of the ISC in respect of the greater use of caveats about intelligence both in the dossier and in my foreword, and we accept that entirely.

⁴⁶⁴ House of Commons, *Official Report*, 14 July 2004, column 1431.

“The Report also states that significant parts of the intelligence have now been found by the Secret Intelligence Service to be in doubt. The Chief of the SIS, Sir Richard Dearlove, has told me that it accepts all the conclusions and recommendations of Lord Butler’s Report that concern the Service. The SIS will fully address the recommendations that Lord Butler has made about its procedures and about the need for the Service properly to resource them. The Service has played and continues to play, a vital role in countering worldwide the tide of proliferation of weapons of mass destruction. Indeed, its successes are evident in Lord Butler’s Report.

“I accept the Report’s conclusions in full. Any mistakes should not be laid at the door of our intelligence and security community. They do a tremendous job for our country. I accept full personal responsibility for the way in which the issue was presented and therefore for any errors that were made.”⁴⁶⁵

828. The Inquiry cites the findings of the Butler Review at a number of points in Sections 4.1, 4.2 and 4.3 where they best illuminate the issues under discussion, rather than attempting to summarise them in one place. Those include:

- Findings relating to the intelligence underpinning individual JIC Assessments and the quality of those Assessments;
- Findings on the way in which intelligence and JIC Assessments were used to underpin public statements by the Government, and in particular the September 2002 dossier and statements to Parliament;
- Findings on the reporting issued in September 2002 about the production of chemical agent; and
- Findings on the serious doubts about other lines of reporting and the eventual withdrawal of that reporting, including reports about mobile facilities for the production of biological agent and the claim that chemical and biological munitions could be moved into place for an attack within 45 minutes.

The ISG Comprehensive Report, 6 October 2004

829. Mr Blair discussed the ISG Comprehensive Report with President Bush in late July.

830. Mr Blair stated to officials that the Comprehensive Report needed to indicate the degree of certainty that Iraq had not possessed WMD and how far the security situation in Iraq had affected the search.

831. Officials warned of the need to avoid any repeat of allegations that the UK had exerted improper pressure on the preparation of the previous ISG report.

⁴⁶⁵ House of Commons, *Official Report*, 14 July 2004, column 1435.

832. Mr Blair raised the ISG report during a video conference with President Bush on 22 July.⁴⁶⁶ He said that Mr Duelfer needed to prove that Saddam Hussein had been “procuring the means to develop WMD, had missiles to deliver it, and the intent to use it”. The ISG report could prove to be a powerful argument in support of the war.

833. Mr Blair suggested that, with the ISG report and the Butler Review, which had made clear that Al Qaida had been present in Iraq, “we could clearly argue that it would have been wrong to let Saddam go unchecked”. The timing of the ISG report had to be right. Sir Nigel Sheinwald noted that early September looked realistic.

834. Mr Dowse discussed the ISG report with Mr Duelfer at a meeting hosted by the US Embassy in London on 31 August.⁴⁶⁷ Mr Duelfer stated that he did not expect the report to satisfy those wanting evidence of WMD, but thought it would disappoint those who said that sanctions and containment had been working. There would be plenty of very clear evidence that Iraqi abuse of OFF had allowed the regime to siphon off “huge amounts” of money.

835. Mr Dowse reported that it was Mr Duelfer’s “firm intention” to deliver the report to Mr McLaughlin by the end of September in a form suitable for immediate publication. A draft should be ready for review by governments in Washington, London and Canberra in about two weeks.

836. Mr Blair commented that Mr Duelfer needed:

“... a conclusion on WMD weapons themselves. How clear is it that they didn’t exist; is it an open question; how has the security situation post May 03 & now affected the search? He will need answers to this.”⁴⁶⁸

837. Mr Dowse responded on 10 September. The UK had not seen the latest text, but Mr Duelfer was expected to say that:

- the ISG had “not been able to determine conclusively whether Saddam possessed WMD in 2003”; and
- the likelihood was that “even if some did exist, they were not of military significance”.⁴⁶⁹

838. Mr Dowse reported that Mr Duelfer remained “extremely (and rightly) sensitive” to leaks of the report before publication, and particularly to any suggestion that he may be influenced by Washington or London. Mr Dowse advised: “we must avoid a repeat of the allegations that HMG exerted improper pressure on the last report”.

⁴⁶⁶ Letter Phillipson to Adams, 22 July 2004, ‘Prime Minister’s VTC with President Bush, 22 July: Iraq and MEPP’.

⁴⁶⁷ Minute Dowse to Ehrman, 31 August 2004, ‘Next Iraq Survey Report’.

⁴⁶⁸ Manuscript comment Blair on Minute Dowse to Ehrman, 31 August 2004, ‘Next Iraq Survey Report’.

⁴⁶⁹ Minute Dowse to Phillipson, 10 September 2004, ‘Next Iraq Survey Group Report’.

839. The JIC Sub-Committee on Iraq/WMD, chaired by Mr Ehrman, who took up his appointment as Chairman of the JIC at the end of August, discussed Mr Duelfer's draft Comprehensive Report on 17 September.⁴⁷⁰

840. The meeting was also informed that Washington planned to reduce the size of the ISG in Baghdad, culminating in its merger with MNF-I. During the drawdown period it could follow up a number of lines "including reporting on the chemical laboratory network and links with Syria".

841. Mr Ehrman reported to Sir Nigel Sheinwald that the DIS had received five of the six chapters of the draft Comprehensive Report, which would be considered for factual accuracy and intelligence source protection.⁴⁷¹ Mr Duelfer had made it clear he would not accept any attempt to alter the judgements in the Report. Mr Ehrman stated that no such attempts were being made.

842. Mr Ehrman explained that the JIC was:

"... preparing a table showing key conclusions set against what the dossier and JIC assessments said before the war ... [T]he headline points can be summarised as follows:

a) Strategic intent

Duelfer concludes that Saddam wanted to recreate Iraq's WMD capability after sanctions were removed. Though there was no formal written strategy or plan for this, the ISG say they have clear evidence of his intent to do it. Saddam aspired to develop a nuclear capability but intended to focus on ballistic missile and tactical CW capabilities.

Iraq never intended to meet the spirit of the UNSC's resolutions ... By mid-2000 elements within Saddam's regime boasted that the UN sanctions regime was slowly eroding.

b) WMD capabilities

Duelfer judges that Iraq's WMD capability was mostly destroyed in 1991 ...

Saddam's perceived requirement to bluff about WMD ... made it too dangerous to reveal this to the international community ...

Duelfer says that the ISG has not judged conclusively whether or not Saddam possessed WMD in 2003 ...

⁴⁷⁰ Minutes, 17 September 2004, JIC Sub-Committee on Iraq/WMD meeting.

⁴⁷¹ Minute Ehrman to Sheinwald, 17 September 2004, 'Iraq Survey Group (ISG) Report'.

c) CW

... There are no indications that Baghdad resumed production of chemical munitions [after 1991] ...

... the Iraqi Intelligence Service maintained from 1991 to 2003 a set of undeclared covert laboratories to research and test various chemicals and poisons, primarily for intelligence operations ...

The ISG judges that Iraq had a capability to produce large quantities of sulphur mustard agent within three to six months.

d) Nuclear

Saddam ended the nuclear programme in 1991. The ISG found no evidence to suggest concerted efforts to restart the programme ...

The ISG has uncovered no information to support allegations of Iraqi pursuit of uranium from abroad in the post-Operation Desert Storm era ...

e) Delivery systems

The ISG has uncovered no evidence that Iraq retained SCUD-variant missiles (ie Al Hussein) ...

... The ISG assesses that Saddam clearly intended to reconstitute long range delivery systems and that the systems were potentially for WMD.

The ISG has substantial documentary evidence and source reporting indicating that the regime intentionally violated various international resolutions and agreements in order to pursue its delivery systems programmes.”

843. Mr Ehrman recommended that the Government’s public lines on the Comprehensive Report should focus on:

- the Report’s confirmation of Saddam Hussein’s breaches of resolution 1441;
- Saddam Hussein’s strategic intent to reconstitute his WMD when sanctions were lifted; and
- the conclusion that sanctions and therefore containment were becoming progressively less effective.

844. Mr Ehrman advised that many of the ISG’s points had already been covered in the Butler Report, but the ISG’s “central judgement, that Iraq’s WMD capability was essentially destroyed in 1991 and not reconstituted by March 2003”, was “firmer than the judgement Lord Butler had reached”.

845. On 21 September, Mr Ehrman informed Sir Nigel Sheinwald that the UK had received the final, BW, chapter of the draft Comprehensive Report.⁴⁷² He explained that the JIC had also been able to look at the detail of the section on illicit finance and procurement.

846. Mr Ehrman wrote that, on BW:

- The ISG judged that Iraq appeared “to have destroyed its undeclared stocks of BW agent”, but it lacked “evidence to document complete destruction”.
- “Iraq retained some BW-related seedstocks until their discovery after Operation Iraqi Freedom.”
- After Operation Desert Storm, in 1991, Iraq “sought to save what it could of its BW infrastructure and covertly to continue BW research, as well as to hide evidence of that and earlier efforts”.
- The ISG judged that Iraq “abandoned its existing BW programme, destroying the facility at al Hakam” when the Iraq economy was “at rock bottom in 1995”.
- The ISG had “found no direct evidence that Iraq, after 1996, had plans for a new BW programme or was conducting BW-specific work for military purposes”.
- The ISG judged that BW applicable research since 1996 “was not conducted in connection with the development of a BW programme”.
- “The Iraqi intelligence service had a series of laboratories that conducted biological work including research into BW agents for assassination purposes until the mid-1990s.” Experiments had been conducted on human beings, who died, but there was “no evidence to link these tests with the development of BW”.
- “In spite of exhaustive investigation”, the ISG had “found no evidence that Iraq possessed or was developing, BW agent production systems mounted on road vehicles or railway wagons”.
- The ISG judged that “the two trailers captured in 2003” were “almost certainly designed and built exclusively for the generation of hydrogen”.
- The ISG judged that “Iraq could have re-established an elementary BW programme within a few weeks to a few months of a decision to do so, but it has discovered no indications that the regime was pursuing such a course”.

847. On illicit finance and procurement, Mr Ehrman reported that the findings included:

- Private companies from Jordan, India, France, Italy, Romania and Turkey appeared to have engaged in possible WMD-related trade with Iraq.
- The Governments of Russia, Syria, Belarus, North Korea, the Federal Republic of Yugoslavia and Yemen directly supported or endorsed private companies’

⁴⁷² Minute Ehrman to Sheinwald, 21 September 2004, ‘Iraq Survey Group (ISG) Report’.

efforts to assist Iraq with conventional arms procurement, in breach of UN sanctions.

- The Governments of Jordan, China, India, South Korea, Bulgaria, Ukraine, Cyprus, Egypt, Lebanon, Georgia, France, Poland, Romania and Taiwan allowed private and/or state-owned companies to support Iraq's conventional arms procurement programmes.
- The number of countries supporting Iraq's schemes to undermine sanctions increased dramatically between 1995 and 2003.
- A number of bilateral trade agreements with "neighbouring" countries, including Jordan, Syria, Turkey, Egypt and Yemen, eventually led to sanctions violations.
- France was one of the top three countries with companies or individuals receiving secret oil vouchers.
- There was a significant amount of captured documentation showing contracts between Iraq and Russian companies "close to government".

Mr Blair's speech to the Labour Party conference, 28 September 2004

In his speech to the Labour Party conference on 28 September, Mr Blair raised the issue of trust and the decisions he had made on future security in the preceding three years.⁴⁷³ Mr Blair said that he wanted to deal with the issue of Iraq "head on". He stated:

"The evidence about Saddam having actual biological and chemical weapons, as opposed to the capability to develop them, has turned out to be wrong.

"I acknowledge that and accept it.

"I simply point out, such evidence was agreed by the whole international community, not least because Saddam had used such weapons against his own people and neighbouring countries.

"And the problem is, I can apologise for the information that turned out to be wrong, but I can't, sincerely at least, apologise for removing Saddam.

"The world is a better place with Saddam in prison not in power."

Mr Blair challenged the "belief that the basic judgement I have made since September 11th [2001], including on Iraq, is wrong, that by our actions we have made matters worse not better". He acknowledged that the issue had "divided the country", but set out his view of the need to deal with the threat from the "wholly new phenomenon of worldwide global terrorism", including in Iraq, and the importance of the alliance with the US.

⁴⁷³ *BBC News, 28 September 2004, Full text of Blair's Speech.*

848. On 28 September, Mr Ehrman sent Sir Nigel Sheinwald draft “lines to take” on the ISG Comprehensive Report, excluding the section on illicit finance and procurement, which Mr Duelfer was reported to be rewriting.⁴⁷⁴

849. Mr Ehrman proposed that the focus should be on the three themes he had identified in earlier minutes:

- Saddam’s strategic intent to reconstitute his WMD when sanctions were lifted;
- his repeated breaches of Security Council resolutions, including 1441;
- the ISG conclusions on the progressive erosion of sanctions.”

850. Mr Ehrman added:

“The lines to take also seek to deal with the main point which many will make (put crudely ‘no WMD’) – mainly by reference to Lord Butler’s conclusions. We will be asked: ‘Do you endorse/accept the ISG Report?’ I recommend that we stick to the reference back to Butler, whose conclusions were very close to the ISG’s, and to the fact that the Government accepted these. We cannot go further because we do not accept Duelfer’s conclusion on uranium and Niger, which is the opposite of Butler’s. Nor has Duelfer in most cases made clear the full reasoning behind his conclusions.”

851. Mr Ehrman sent a further update on 1 October, explaining that the chapter on procurement was still being worked on.⁴⁷⁵

852. Mr Anthony Phillipson, Mr Blair’s Private Secretary for Foreign Affairs, sent Mr Blair a minute on developments later the same day.⁴⁷⁶ Formal publication of the ISG Comprehensive Report would be at 1500 UK time on 6 October. The US Government would brief the US press at 1900 UK time on 5 October. The FCO was leading on UK press handling and intended to take “a low-key, defensive, approach”. It was not a UK report and there would be no UK pre-briefing. Mr Straw would issue a Written Statement.

853. Mr Phillipson wrote that Mr Blair would:

“... want to discuss this on Monday [4 October], particularly if you want to take a more proactive approach to get across the positive aspects of the Report regarding Saddam’s strategic intent to develop WMD.”

854. Mr Phillipson added that the US had decided that there would be two printed versions of the Comprehensive Report, not one:

- a “not for publication” version for Congress and the US Government; and
- an online version with references to US companies and individuals excised for legal reasons.

⁴⁷⁴ Minute Ehrman to Sheinwald, 28 September 2004, ‘Iraq Survey Group (ISG) Report’ attaching Paper [unattributed], [undated], ‘Duelfer’s Comprehensive Report: Lines to Take’.

⁴⁷⁵ Minute Ehrman to Sheinwald, 1 October 2004, ‘Iraq Survey Group (ISG) Report’.

⁴⁷⁶ Minute Phillipson to Prime Minister, 1 October 2004, ‘ISG Report: Publication’.

855. Mr Phillipson wrote that the US Government had rejected Mr Duelfer’s argument that it should be sufficient to issue a disclaimer stating that naming companies in the Report was not an indication of guilt or complicity; a published official CIA report could not mention named US individuals or entities. The UK had pressed for the exclusion of all such references, but the US position was that the legal restriction did not apply to non-US entities. Presentationally, that approach was better than removing only US and UK names; it emphasised that it was not the UK’s report.

856. The other issue still to be addressed was the withdrawal of intelligence used before the invasion to support assessments about Iraqi WMD programmes. No.10 was discussing handling, including informing the ISC, with SIS.

857. Sir Nigel Sheinwald and Dr Rice discussed the ISG Comprehensive Report on 4 October.⁴⁷⁷ Sir Nigel said that there had been good co-ordination between the US and UK. He set out Mr Blair’s view on handling: the failure to find WMD stockpiles it should be presented as “yesterday’s story” and the media should be encouraged to focus on the new material about strategic intent, concealment and sanctions busting.

858. Mr Blair raised the ISG Comprehensive Report with President Bush during a video conference on 5 October.⁴⁷⁸

859. Mr Blair’s brief for the conversation suggested that he tell President Bush that the UK was focusing on the positive aspects of the ISG Report rather than the lack of WMD.⁴⁷⁹

860. During his wider discussion with President Bush on Iraq on 5 October (see Section 9.3), Mr Blair stated that the ISG Report “showed that Saddam had a clear strategic intent to develop WMD” and that “terrorists had now chosen to make Iraq the battleground”.⁴⁸⁰ It would be naive to say that Iraq had been stable and non-threatening before March 2003 and would still be so if no action had been taken. Mr Blair concluded that:

“We needed to focus on the fact that sanctions had not been working, Saddam had strategic intent to rebuild his capability, and even if he had no deployable weapons, the enforcement regime wasn’t working and Saddam was gearing up for when it was removed. We had to focus on the whole story.”

861. The ISG Comprehensive Report was published on 6 October 2004.

⁴⁷⁷ Letter Sheinwald to Adams, 4 October 2004, ‘Conversation with US National Security Adviser, 4 October’.

⁴⁷⁸ Letter Phillipson to Adams, 5 October 2004, ‘Prime Minister’s VTC with President Bush, 5 October: US Elections, Iraq, Iran, MEPP’.

⁴⁷⁹ Minute Phillipson to Prime Minister, 4 October 2004, ‘VTC with President Bush, 5 October’.

⁴⁸⁰ Letter Phillipson to Adams, 5 October 2004, ‘Prime Minister’s VTC with President Bush, 5 October: US Elections, Iraq, Iran, MEPP’.

862. In the 'Scope Note' introducing *The Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD* (the ISG Comprehensive Report), Mr Duelfer stated that the Report covered the ISG's findings between June 2003 and September 2004.⁴⁸¹ Since there remained "the possibility (though small) of remaining WMD", reports of WMD-related material in the future would continue to be investigated.

863. The Comprehensive Report was divided into six sections, each opening with a summary of key findings.⁴⁸² Those included:

Regime Strategic Intent:

- ***"Saddam Hussein so dominated the Iraqi regime that its strategic intent was his alone. He wanted to end sanctions while preserving the capability to reconstitute his weapons of mass destruction (WMD) when sanctions were lifted."***
- ***"Saddam wanted to recreate Iraq's WMD capability – which was essentially destroyed in 1991 – after sanctions were removed and Iraq's economy stabilized, but probably with a different mix of capabilities to that which previously existed. Saddam aspired to develop a nuclear capability – in an incremental fashion, irrespective of international pressure and the resulting economic risks – but he intended to focus on ballistic missile and tactical chemical warfare (CW) capabilities."***

Regime Finance and Procurement:

- "Saddam directed the regime's key ministries and governmental agencies to devise and implement strategies, policies and techniques to discredit the UN sanctions, harass UN personnel in Iraq, and discredit the US. At the same time, according to reporting, he also wanted to obfuscate Iraq's refusal to reveal the nature of its WMD and WMD-related programs, their capabilities, and his intentions."
- "Iraq under Saddam successfully devised various methods to acquire and import items prohibited under UN sanctions ..."

Delivery Systems:

- ***"Desert Storm and subsequent UN resolutions and inspections brought many of Iraq's delivery programs to a halt."***
- "While other WMD programs were strictly prohibited, the UN permitted Iraq to develop and possess delivery systems provided their range did not exceed 150km. This freedom allowed Iraq to keep its scientists and technicians

⁴⁸¹ Central Intelligence Agency, 30 September 2004, *The Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*, Volume I, 'Scope Note'.

⁴⁸² Central Intelligence Agency, 30 September 2004, *The Comprehensive Report of the Special Advisor to the DCI on Iraq's WMD*.

employed and to keep its infrastructure and manufacturing base largely intact ... ***This positioned Iraq for a potential breakout capability.***

- ***“ISG uncovered Iraqi plans or designs for three long range ballistic missiles with ranges from 400 to 1,000km and for a 1,000km-range cruise missile, although none of these systems progressed to production and only one purportedly passed the design stage. ISG assesses that these plans demonstrate Saddam’s continuing desire – up to the beginning of Operation Iraqi Freedom (OIF) – for a long range delivery capability.”***
- ***“Procurements supporting delivery system programs expanded after the 1998 departure of the UN inspectors. Iraq also hired outside expertise to assist development programs.”***
- ***“... ISG assesses that Saddam clearly intended to reconstitute long range delivery systems and the systems potentially were for WMD.”***

Nuclear:

- ***“Iraq Survey Group (ISG) discovered further evidence of the maturity and significance of the pre-1991 Iraqi Nuclear program but found that Iraq’s ability to reconstitute a nuclear weapons program progressively decayed after that date.”***
- ***“In the wake of Desert Storm, Iraq took steps to conceal key elements of its program and to preserve what it could of the professional capabilities of its nuclear scientific community.”***
- ***“As with other WMD areas, Saddam’s ambitions in the nuclear area were secondary to his prime objective of ending UN sanctions.”***

Chemical:

- ***“Saddam never abandoned his intentions to resume a CW effort when sanctions were lifted and conditions were judged favourable ...”***
- ***“While a small number of old, abandoned chemical munitions have been discovered, ISG judges that Iraq unilaterally destroyed its undeclared chemical weapons stockpile in 1991. There are no credible indications that Baghdad resumed production of chemical munitions thereafter ...”***
- ***“The way Iraq organized its chemical industry after the mid-1990s allowed it to conserve the knowledge-base needed to restart a CW program ...”***
- ***“Iraq’s historical ability to implement simple solutions to weaponization challenges allowed Iraq to retain the capability to weaponize CW agent when the need arose ...”***

Biological:

- ***“ISG judges that Iraq’s actions between 1991 and 1996 demonstrate that the state intended to preserve its BW capability and return to a steady, methodical progress toward a mature BW program when and if the opportunity arose.”***

- ***“ISG found no direct evidence that Iraq, after 1996, had plans for a new BW program or was conducting BW-specific work for military purposes.”***
- ***“Nevertheless, after 1996 Iraq still had a significant dual-use capability – some declared – readily useful for BW if the regime chose to use it to pursue a BW program. Moreover, Iraq still possessed its most important BW asset, the scientific know-how of its BW cadre.”***
- ***“Depending on its scale, Iraq could have re-established an elementary BW program within a few weeks to a few months of a decision to do so, but ISG discovered no indications that the regime was pursuing such a course.”***
- ***“The IIS [Iraqi Intelligence Service] had a series of laboratories that conducted biological work including research into BW agents for assassination purposes until the mid-1990s. ISG has not been able ... to determine whether any of the work was related to military development of BW agent.”***

864. In his memoir, Mr Duelfer wrote:

“I [did not] want the Report to tell people what to think up front: There was no executive summary with a predetermined conclusion. The story of Iraq, sanctions, and WMD was too intricate for that: It deserved to be seen in its entirety, without single aspects being taken out of context.”⁴⁸³

The Government’s response to the ISG Comprehensive Report

865. In the House of Commons on 12 October, Mr Straw described the ISG Comprehensive Report as providing “chapter and verse as to why the policy of containment was not working”.

866. The following day, Mr Blair told the Commons:

“Those people who want to pray in aid the Iraq Survey Group in respect of stockpiles of weapons must also accept the other part of what the Iraq Survey Group said, which is that Saddam retained the intent and the capability ... and was in breach of United Nations resolutions. That is what Mr Duelfer expressly said.”

867. In the House of Commons on 12 October, Mr Straw stated:

“The [ISG] Report concludes that by the mid-1990s, Iraq was essentially free of weapons of mass destruction, but it goes on to describe a sophisticated and systematic campaign by Saddam Hussein to bring down the United Nations sanctions regime and to reconstitute his weapons programme.

...

⁴⁸³ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

“The Report provides chapter and verse as to why the policy of containment was not working.”⁴⁸⁴

868. At PMQs on 13 October, Mr Blair stated:

“We know from the Iraq Survey Group that he [Saddam Hussein] indeed had the intent and capability and retained the scientists and desire, but that he might not have had stockpiles of actually deployable weapons. We have accepted that and I have already apologised for any information that subsequently turned out to be wrong.

...

“Those people who want to pray in aid the Iraq Survey Group in respect of stockpiles of weapons must also accept the other part of what the Iraq Survey Group said, which is that Saddam retained the intent and the capability – the teams of scientists and so on – and was in breach of United Nations resolutions. That is what Mr Duelfer expressly said. It was the breach of UN resolutions and their enforcement that was and is the reason for going to war.”⁴⁸⁵

869. On 28 October, in response to a Written Parliamentary Question from Mr Llew Smith (Labour) asking for a list of the conclusions of the ISG Comprehensive Report with which the Foreign Secretary did not agree, Mr Denis MacShane, Foreign Office Minister, set out three principal areas of disagreement:

“The Iraq Survey Group (ISG) Report concludes that there is no evidence to suggest that Iraq sought to procure uranium from Africa in the 1990s. The Government continues to believe that credible evidence exists to support the assertion made in the September 2002 dossier. Lord Butler of Brockwell’s Review upheld that belief. The UK was not in a position to share all the intelligence on this issue with the ISG.

“The ISG also expressed doubt that the aluminium tubes referred to in the September dossier were evidence of a resumption of Iraq’s nuclear programmes. Again, Lord Butler’s Review assessed this, and concluded that the Joint Intelligence Committee were right to include reference to the tubes in the dossier and that it properly reflected doubts about the use of the tubes in the caution of its assessments. The Government fully accepts the findings of Lord Butler’s Review.

“The ISG also report that they found no evidence to support the claim in the dossier that Iraq ‘is almost certainly seeking an indigenous ability to enrich uranium’ based on gas centrifuge technology. They do, however, admit that elements of useful and relevant technologies were being developed.”⁴⁸⁶

⁴⁸⁴ House of Commons, *Official Report*, 12 October 2004, columns 151-152.

⁴⁸⁵ House of Commons, *Official Report*, 13 October 2004, column 278.

⁴⁸⁶ House of Commons, *Official Report*, 28 October 2004, column 1386W.

Closure of the ISG and Addendums to the Comprehensive Report

870. Mr Duelfer visited London on 15 October on his way back to Iraq.⁴⁸⁷ He told a DIS official that he expected to remain in Baghdad until about Christmas to work on the remaining unresolved issues, including cross-border movement into Syria.

871. In his memoir, Mr Duelfer described the energy for ISG activities as “almost completely extinguished”.⁴⁸⁸ Mr McLaughlin and the White House supported the idea of the ISG collecting more information to “close out the remaining uncertain issues”, including the reported movement of WMD to Syria before the invasion, but most ISG staff were now focused on the insurgency.

872. On 28 October, Op ROCKINGHAM reported that the ISG continued to investigate:

- remaining stocks of CBW agents;
- WMD infrastructure and associated individuals of concern; and
- the Syrian connection.⁴⁸⁹

873. The ISG was also revisiting priority WMD-related sites to document and secure equipment of proliferation concern.

874. On 8 November, two US military protection officers were killed in a convoy taking Mr Duelfer and his deputy to a meeting in Baghdad to discuss the Syrian connection.⁴⁹⁰ After the incident, the US instructed that all ISG data-gathering missions should stop.

875. Mr Duelfer left Baghdad on 16 December.⁴⁹¹

876. In April 2005, the ISG published additional material as Addendums to the Comprehensive Report.

877. On 23 December 2004, Mr Ehrman informed Sir Nigel Sheinwald that Mr Duelfer planned to publish a version of the Comprehensive Report with a number of new annexes, in the second half of January.⁴⁹² The UK had received four annexes for factual checking. The key points in the annexes included:

- Residual proliferation risks from people and equipment/materials. Mr Duelfer had concluded that the threat of proliferation of WMD skills beyond Iraq was “small”.
- The value of Iraqi detainees to the ISG investigation. If the US agreed to publication, this could cause the most interest. The draft annex stated that pre-conflict intelligence on people in the WMD programme was as inaccurate

⁴⁸⁷ Minute [DIS] to DCDI, 15 October 2004, ‘Iraq/ISG: Lunch with Charles Duelfer’.

⁴⁸⁸ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

⁴⁸⁹ Op ROCKINGHAM Weekly, No.70, 21-28 October 2004.

⁴⁹⁰ Op ROCKINGHAM Weekly No.74, 18-24 November 2004’.

⁴⁹¹ Duelfer C. *Hide and Seek: The Search for Truth in Iraq*. Public Affairs, 2009.

⁴⁹² Minute Ehrman to Sheinwald, 23 December 2004, ‘ISG Report on Iraq WMD’.

as intelligence on WMD infrastructure and was very critical of the US debriefing process.

- Residual pre-1991 stocks in Iraq. The ISG believed that any remaining chemical munitions did not pose a militarily significant threat to Coalition Forces. Iraq had “never successfully formulated” BW agents “for long term storage”. Any remaining BW agents thus posed little or no risk to Coalition Forces or civilians.
- Iraq’s Military Industrial Commission. Reports that Qusay Hussein had asked for a list of Iraqi BW experts to be compiled for him to pass to Syria and that an Iraqi computer hacker claimed to be able to hack into US military satellites might arouse some interest.

878. A fifth annex containing an outline plan for future investigation of possible WMD links with Syria was under consideration.

879. Mr Ehrman did not expect publication of the annexes to attract major media interest. He advised that the ISG would “effectively wind up” in January 2005, with responsibility for WMD issues passing to the MNF in Baghdad.

880. The ISG continued into 2005 as Mr Duelfer completed work, in Washington, on the Addendums to the September 2004 Comprehensive Report.⁴⁹³

881. On 25 February 2005, Mr Ehrman reported to Sir Nigel Sheinwald that the text had been sent to the printers and was expected to be published in early to mid-March.⁴⁹⁴ He explained that the final version included an additional one-page annex on possible pre-conflict movement of WMD out of Iraq. The ISG had been unable to rule out unofficial movement of limited WMD materials, but judged it unlikely that an official transfer had taken place.

882. Mr Ehrman attached draft press lines prepared by the FCO and the MOD. He advised that the main points remained unchanged:

- “Saddam had strategic intent to reconstitute Iraq’s WMD programmes when sanctions were lifted”.
- “Iraq repeatedly breached Security Council Resolutions, including 1441”.
- “[S]anctions were progressively eroding before the conflict”.

883. Mr Ehrman advised:

“If asked about the Report’s conclusion that, by the mid-1990s Iraq was essentially free of WMD, we will refer to the Prime Minister’s statement of 28 September 2004 in Brighton that ‘evidence about Saddam having actual BW and CW weapons, as opposed to the capability to develop them, has turned out to be wrong’.”

⁴⁹³ Op ROCKINGHAM Weekly No.94, 20-27 April 2005.

⁴⁹⁴ Minute Ehrman to Sheinwald, 25 February 2005, ‘ISG Report on Iraq WMD’ attaching Paper [MOD and FCO], [undated], ‘The Publication of the Iraq Survey Group Final Report’.

884. The DIS reported on 2 March that the ISG was to be deactivated by 18 April.⁴⁹⁵ It would be absorbed into the Combined Intelligence and Operations Centre (CIOC), which would retain WMD as a secondary role, after counter-insurgency and counter-terrorism.

885. Shortly before the eventual publication of the final edition of the Comprehensive Report on 25 April, Mr Ehrman sent Mr Sheinwald draft press lines, which had been sent to the US for “one last check” that they did not conflict with US lines.⁴⁹⁶

886. The main points included:

- “... [S]ix new addenda ... do not fundamentally alter the findings of the earlier Report”.
- “Government has already accepted the ISG conclusion that by the mid-1990s, Iraq was effectively free from WMD.”
- “But have set out repeatedly why existence or otherwise of WMD does not affect the legal basis for going to war.”

887. Mr Duelfer ceased to be Special Advisor to the DCI on 21 April.⁴⁹⁷

888. On 25 April, the final edition of the ISG Comprehensive Report, including six Addendums, was published by the US Government.⁴⁹⁸

889. The Addendums covered:

- ‘Prewar Movement of WMD Material Out of Iraq’. The ISG reported that declining security had halted the investigation and the results remained “inconclusive”. The ISG judged it “unlikely” that there had been an official transfer of WMD material from Iraq to Syria.
- ‘Iraqi Detainees: Value to Investigation of Iraq WMD and Current Status’. Detainees had provided “a vital primary source of information” on Iraq’s WMD programmes and the regime’s strategic intent.
- ‘Residual Proliferation Risks: People’. There remained a danger that hostile governments, terrorists or insurgents might seek Iraqi expertise. The number of individuals was small, but they remained “an important concern”.
- ‘Residual Pre-1991 CBW Stocks in Iraq’. The ISG assessed that small numbers of degraded pre-1991 chemical weapons would continue to be found, but did not pose “a militarily significant threat to Coalition forces”. Any biological agents that had survived would “probably have significantly decreased pathogenicity”.

⁴⁹⁵ Op ROCKINGHAM Weekly No.87, 23 February – 2 March 2005.

⁴⁹⁶ Minute Ehrman to Sheinwald, 21 April 2005, ‘ISG Report on Iraq WMD’ attaching Paper [unattributed], 21 April 2005, ‘The Publication of the Iraq Survey Group Final Report’.

⁴⁹⁷ Op ROCKINGHAM Weekly No.93, 13-20 April 2005.

⁴⁹⁸ US Government Publishing Office, 25 April 2005, *The Comprehensive Report of the Special Advisor to the DCI on Iraq’s WMD with Addendums*.

because Iraq never successfully formulated its biological agents for long-term storage.”

- ‘Residual Proliferation Risk: Equipment and Materials’. The ISG judged that Iraq’s remaining chemical and biological infrastructure did not pose a proliferation concern. Some potential nuclear-related dual-use equipment was missing, but the ISG had not established its “ultimate disposition”.
- ‘Iraq’s Military Industrial Capability – Evolution of the Military Industrialization Commission’. Additional information on the MIC based principally on custodial interviews with former senior members.

Report of the US Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, 31 March 2005

890. The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, established by President Bush on 6 February 2004, published its Report on 31 March 2005.⁴⁹⁹

891. In their covering letter to President Bush, the members of the Commission wrote:

“We conclude that the Intelligence Community was dead wrong in almost all of its pre-war judgments about Iraq’s weapons of mass destruction. This was a major intelligence failure. Its principal causes were the Intelligence Community’s inability to collect good information about Iraq’s WMD programs, serious errors in analyzing what information it could gather, and a failure to make clear just how much of its analysis was based on assumptions, rather than good evidence ...

“After a thorough review, the Commission found no indication that the Intelligence Community distorted the evidence regarding Iraq’s weapons of mass destruction. What the intelligence professionals told you about Saddam Hussein’s programs was what they believed. They were simply wrong.”

JIC Assessment, 28 September 2006: ‘Iraqi Chemical Weapons: Implications of Recent Finds’

892. In September 2006, the JIC issued an Assessment considering recent US recovery of chemical munitions, ‘Iraqi Chemical Weapons: Implications of Recent Finds’.⁵⁰⁰ It addressed:

- a series of US-led operations to purchase chemical weapons in MND(SE);
- recent US discoveries of canisters from a previously unidentified site at Taji, a large military complex north of Baghdad; and
- occasional individual finds.

⁴⁹⁹ The Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction, 31 March 2005, *Report to the President of the United States*.

⁵⁰⁰ [JIC Assessment, 28 September 2006, ‘Iraqi Chemical Weapons: Implications of Recent Finds’](#).

893. The Assessment stated that, in southern Iraq, “Some 545 sarin nerve agent warheads for 122mm rockets had been recovered.” The UK did not know the original sources or the sites from which the weapons had been recovered. The Assessment judged that they had been produced before 1991 and were probably from forward ammunition supply points, not the principal CW storage depot at Al Muthanna or any other large depot. The warheads did “**not constitute evidence of a concerted Iraqi plan to retain chemical weapons covertly post-1991 in a viable state for future use**”. Their existence could be explained by a number of reasons, including careless disposal, poor accounting or simple loss or abandonment. The Assessment also stated that Iraqi sarin “had a relatively short shelf life”.

894. The munitions recovered at Taji were “CW-capable” but no CW agents had been identified.

895. The Assessment stated that small numbers of munitions designed to carry agents other than sarin had been recovered, “including 11 or 12 155mm mustard-based artillery rounds”. None contained “more than residual traces of mustard”.

896. The Assessment also stated:

“It is unlikely ever to be possible to reconcile the tens of thousands of 122mm chemical weapons that the former regime declared it had manufactured, used and destroyed with figures from UNSCOM or the findings of the Iraq Survey Group.

We judge that further recoveries of sarin-based chemical weapons are highly likely, but we cannot estimate how many will be found in total.”

Conclusions

897. This Section has considered the impact of the failure to find stockpiles of WMD in Iraq in the months immediately after the invasion, and of the ISG’s emerging conclusions, on:

- the Government’s response to demands for an independent judge-led inquiry into pre-conflict intelligence on Iraq; and
- the Government’s public presentation of the nature of the threat from Saddam Hussein’s regime and the decision to go to war.

898. The Inquiry has not sought to comment in detail on the specific conclusions of the ISC, FAC, Hutton and Butler Reports, all of which were published before the withdrawal by SIS in September 2004 of a significant proportion of the intelligence underpinning the JIC Assessments and September 2002 dossier on which UK policy had rested.

899. In addition to the conclusions of those reports, the Inquiry notes the forthright statement in March 2005 of the US Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction.

Reporting to President Bush, the Commission stated that “the [US] Intelligence Community was dead wrong in almost all of its pre-war judgments about Iraq’s weapons of mass destruction. This was a major intelligence failure.”

900. The evidence in this Section shows that, after the invasion, the UK Government, including the intelligence community, was reluctant to admit, and to recognise publicly, the mounting evidence that there had been failings in the UK’s pre-conflict collection, validation, analysis and presentation of intelligence on Iraq’s WMD.

901. Despite the failure to identify any evidence of WMD programmes during pre-conflict inspections, the UK Government remained confident that evidence would be found after the Iraqi regime had been removed.

902. Almost immediately after the start of the invasion, UK Ministers and officials sought to lower public expectations of immediate or significant finds of WMD in Iraq.

903. At the end of March 2003, Mr Scarlett informed No.10 that the Assessments Staff considered that:

- most sites associated with WMD production had been “cleansed over the last six to nine months”; and
- “the best prospect of exposing the full extent of the WMD programmes rests in free contact with scientists, and other individuals, involved in the WMD programmes and the (extensive) concealment activity”.

904. On 21 April, Mr Straw expressed concern to Mr Blair that the Government was being pushed into a position where it accepted that war would only have been justified if there was a significant find of WMD.

905. The post-invasion search for WMD did not start well. XTF-75, the US-led military unit responsible for locating and securing personnel, documents, electronic files, and material, achieved little on WMD. It failed to make significant finds or to prevent the loss of potentially valuable information.

906. By May, when the US announced the creation of the ISG to take over the search for WMD, the absence of significant finds in Iraq was already generating critical media comment on the nature of the pre-invasion intelligence.

907. The UK Government employed the same arguments used to explain the inspectors’ lack of finds – the regime’s skill at cheating and concealment and the need to conduct interviews with key personnel – to explain the lack of any significant finds from the early post-invasion searches.

908. The Government sought to emphasise the complexity of the exercise and the time needed for work to be completed.

909. The early discovery of two mobile trailers was the most significant find, but the trailers' use for BW production remained unproven.

910. The lack of evidence to support pre-conflict claims about Iraq's WMD challenged the credibility of the Government and the intelligence community, and the legitimacy of the war.

911. The Government and the intelligence community were both concerned about the consequences of the presentational aspects of their pre-war assessments being discredited.

912. Although the US proposed the creation of the ISG in April, it was not launched until 30 May. Mr Tenet appointed Dr Kay as the ISG's first Head on 11 June and it was another two months before Mr Scarlett was able to inform No.10 on 10 August that the ISG was "fully operational".

913. By June, the Government had acknowledged the need for a review of the UK's pre-conflict intelligence on Iraq. It responded to demands for an independent, judge-led inquiry by expressing support for the reviews initiated by the ISC and the FAC.

914. The announcement of the Hutton Inquiry into the circumstances surrounding the death of Dr David Kelly on 18 July reinforced the Government's position that additional reviews were not needed.

915. The Government maintained that position until January 2004, backed by three votes in the House of Commons (on 4 June, 15 July and 22 October) rejecting a succession of Opposition motions calling for an independent inquiry into the use of pre-war intelligence.

916. Mr Blair's initial response to growing criticism of the failure to find WMD was to counsel patience.

917. In Washington on 17 July, Mr Blair told the media that he believed "with every fibre of instinct and conviction" that he would be proved right about the threat from Iraqi WMD, but that it was important to wait for the ISG to complete its work.

918. In his Interim Report to Congress on 2 October, Dr Kay stated that the ISG had not found stocks of weapons. He judged that, although it was "far too early" to reach definitive conclusions, Saddam Hussein "had not given up his aspirations and intentions to continue to acquire weapons of mass destruction".

919. Despite finding that Saddam Hussein had breached Security Council resolutions and that he had intended to restart his WMD programmes as soon as he was able, the ISG Interim Report did not change the tone of the public debate.

920. After the publication of the ISG Interim Report, the Government's focus shifted from finding stockpiles of weapons to emphasising evidence of the Iraqi regime's strategic intent.

921. Mr Blair sought to redefine the public debate, shifting focus away from the failure to find WMD and concerns about the reliability of intelligence towards efforts to counter global proliferation and what he assessed to be the positive impact of military action in Iraq on those efforts.

922. On 5 October, in response to the failure to find “enough on WMD” and the deteriorating security situation in Iraq, Mr Blair outlined to President Bush a new strategy “to get us back on the high ground and get the public ... to focus on the big picture”. He concluded:

“WMD/terror remains the 21st century threat. Our global agenda is the only way to a better future not just for us but for the world. We’re not going soft on it. We’re going to be utterly determined on it, because it’s right.”

923. In autumn 2003, the ISG faced increasing obstacles to its WMD investigations, caused mostly by the deteriorating security situation, including:

- constraints on ISG staff mobility;
- a reluctance among Iraqi experts to talk openly about Saddam Hussein’s WMD programmes; and
- growing pressure from Washington to transfer resources from the search for WMD to counter-insurgency.

924. The diversion of resources from WMD to counter-insurgency was reported to have contributed to Dr Kay’s decision in December to resign as Head of the ISG.

925. On 11 January 2004, in an interview with Sir David Frost, Mr Blair drew attention to emerging evidence from the ISG of “clandestine operations that should have been disclosed to the United Nations”. Mr Blair still believed weapons would be found, but commented that “we just have to wait and see”.

926. Points made in a Cabinet discussion on Iraq on 15 January included the observation that public opinion continued to focus on the absence of WMD, while the broader counter-proliferation story was inadequately covered.

927. Pressure for an independent inquiry in the UK continued to grow.

928. Secretary Powell’s comment on 24 January that it was an “open question” whether Iraq held any stocks of WMD, widely reported in the UK media, caused the UK Government considerable difficulty.

929. The Government’s response was to try to keep “in very close step” with the US. As late as 26 January, UK officials informed their US counterparts that the Government would continue to argue that, after the ISC, FAC and Hutton, there was no need for a further inquiry on intelligence.

930. Once President Bush made clear his decision to set up an independent inquiry, Mr Blair's resistance to a public inquiry became untenable.

931. By 29 January, the day after the publication of the Hutton Report, it was clear to Mr Blair that President Bush intended to set up an independent US inquiry into pre-conflict intelligence before he was forced to do so by Congress.

932. In his 'Note on WMD', sent to President Bush on 31 January, Mr Blair concluded that, if it proved necessary to accept that some of the intelligence on Iraqi WMD was wrong, it would be important not to "start pretending" that Iraq had nothing, or to allow inaccuracies in the intelligence to distract the UK and US from "confronting the WMD issue".

933. On 2 February, the same day as President Bush confirmed the imminent announcement of a "bipartisan independent commission", Mr Blair agreed to set up a committee of Privy Councillors with wider Terms of Reference than the ISC inquiry, looking at "intelligence on WMD in general, not just Iraq".

934. Mr Straw announced the creation of the Butler Review to Parliament on 3 February, three days before President Bush signed the Executive Order establishing the US Commission.

935. After the announcement of the Butler Review, the UK Government's focus shifted to the content of the next ISG report, the Status Report.

936. The Government, still concerned about the nature of the public debate on WMD in the UK, sought to ensure that the Status Report included existing ISG material highlighting the strategic intentions of Saddam Hussein's regime and breaches of Security Council resolutions.

937. Mr Duelfer began work on the ISG Status Report shortly after replacing Dr Kay as Head of the ISG on 23 January.

938. During his call on Mr Blair in London on 9 February, Mr Duelfer stated that it was his hypothesis that the regime's strategy had been to outlast UN sanctions. He did not believe that any judgements could be made until that was proven.

939. In his memoir, Mr Duelfer recorded that, at that meeting, Mr Blair had been "very well informed on the issue of WMD" and had given him the opportunity to go into the issue in more depth than had been possible with President Bush or Dr Rice. Mr Duelfer stated that Mr Blair had not made strong suggestions.

940. Sir Nigel Sheinwald reported to Mr Blair on 4 March that Mr Duelfer had made it clear that he would not accept "joint drafting" of his report. Sir Nigel had asked the FCO and SIS to press their US counterparts and said that he and Mr Blair and he should raise the issue with President Bush and Dr Rice.

941. Mr Scarlett sent Mr Duelfer “nuggets” from the September 2003 ISG Interim Report, including on strategic intent, explaining that they were not intended as drafting suggestions, but to identify existing ISG material worth highlighting. Many of Mr Scarlett’s suggestions were incorporated into Mr Duelfer’s testimony to Congress on 30 March.

942. Mr Duelfer’s testimony received little publicity. Mr Blair was advised that, given the security situation in Iraq, it would be extremely difficult to get further coverage in anything other than negative terms.

943. Mr Blair remained concerned about continuing public and Parliamentary criticism of the pre-conflict intelligence, the failure to find WMD and the decision to invade Iraq. After the reports from the Hutton Inquiry, the ISG and the US Commission, he sought to demonstrate that, although “the exact basis for action was not as we thought”, the invasion had still been justified.

944. Mr Blair told President Bush on 16 June that he remained “deeply concerned” about WMD. He expressed the wish that “if at all possible”, the reports of the Senate Intelligence Committee, the Butler Review and the ISG “should have this issue dealt with and lanced all at the same time”.

945. Mr Blair suggested to President Bush that the truth on Iraq’s WMD was probably that Saddam Hussein:

“... was developing long range ballistic missile capability in breach of UN resolutions; he probably had no or no large stockpiles of tactical CW or BW weapons; but he retained the capability and expertise to recommence production as soon as he could, again in breach of UN resolutions ...

“Such an explanation would mean that some of the intelligence upon which we acted was wrong; but that nonetheless the threat was there, as was the breach of UN resolutions. It would also explain why the picture was so confused and why, whilst the exact basis of action was not as we thought, the action was still justified.”

946. Mr Blair suggested that it might make sense to publish the ISG Comprehensive Report at the same time as the Senate Intelligence Committee and Butler Reports to “provide the clear evidential basis for saying there was indeed a threat, even if it was not the threat that had been anticipated”.

947. Immediately before and after the publication of the Senate Intelligence Committee and Butler Reports on 7 and 14 July respectively, Mr Blair restated his conviction that Iraq had posed a threat and that military action had been necessary to make progress in Libya and elsewhere.

948. On 6 July, Mr Blair told the Liaison Committee of the House of Commons that he had to accept that stockpiles of WMD “might not be found”, but it was “absolutely clear” that Saddam Hussein had the “strategic capability, the intent” and that he had committed multiple breaches of UN sanctions.

949. Mr Blair said that he still believed that Saddam Hussein had posed a threat. Without military action against Iraq, there would not have been the progress there had been on Libya, AQ Khan, Iran and North Korea.

950. In his statement to the House of Commons after the publication of the Butler Report, Mr Blair said that Saddam Hussein “retained complete strategic intent on WMD and significant capability”.

951. In July, Mr Blair told President Bush that the forthcoming ISG Comprehensive Report could be a powerful argument in support of the war.

952. Sir Nigel Sheinwald set out Mr Blair’s views on handling to Dr Rice on 4 October: that the failure to find stockpiles of WMD should be presented as “yesterday’s story” and the media encouraged to focus on new material about strategic intent, concealment and sanctions busting.

953. Mr Blair told President Bush on 5 October that the ISG Comprehensive Report “showed that Saddam Hussein had a clear strategic intent to develop WMD” and that “terrorists had chosen to make Iraq the battleground”.

954. The ISG Comprehensive Report was published on 6 October. It stated that it had been Saddam Hussein’s strategic intent to “end sanctions while preserving the capability to reconstitute his weapons of mass destruction (WMD) when sanctions were lifted”, and that in seeking to preserve that capability his regime had breached UN sanctions.

955. Addressing the state of Iraq’s WMD programmes in the years between the 1991 Gulf Conflict and the 2003 invasion of Iraq, the Report concluded that:

- Iraq’s WMD capability had mostly been destroyed in 1991.
- There were “no credible indications” that Iraq had resumed production of chemical munitions after 1991.
- There was “no direct evidence” that, after 1996, Saddam Hussein had plans for a new BW programme or was conducting BW-specific work for military purposes.
- Iraq’s ability to reconstitute a nuclear weapons programme had “progressively decayed” after 1991.
- The 1991 Gulf War and subsequent UN resolutions and inspections had brought many of Iraq’s delivery programmes to a halt, but because the UN had permitted development and possession of delivery systems with a range of up to 150km, Iraq was “positioned ... for a potential breakout capability”.

956. Mr Blair told the House of Commons on 13 October that:

“Those people who want to pray in aid the Iraq Survey Group in respect of stockpiles of weapons must also accept the other part of what the Iraq Survey Group said, which is that Saddam retained the intent and the capability – the teams of

scientists and so on – and was in breach of United Nations resolutions. That is what Mr Duelfer expressly said. It was the breach of UN resolutions and their enforcement that was and is the reason for going to war.”

957. The ISG’s findings were significant, but did not support past statements by the UK and US Governments, which had focused on Iraq’s current capabilities and an urgent and growing threat.

958. The explanation for military action put forward by Mr Blair in October 2004 was not the one given before the conflict.